IMT Nuremberg Archives

H – 1014

International Court of Justice

H1014-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

5 July 1946

(The Commission convened at 1000 hours.)

COMMISSIONER:

Captain Joseph Tubridy.

THE S. D.

CAPTAIN TUBRIDY: Will you please remind the witness that he is still under oath.

DIRECT EXAMINATION.

BY DR. GAWLIK:

Q Will you describe briefly how the SD dealt with matters pertaining to church and religion?

A The group III-C SD Interior essentially did not deal with questions pertaining to church problems, but dealt with problems of the religious life within the German peoples. The SD had to observe and report what religious currents could be observed within the German nation. This included the activities of the Christian Church as well as those of the different sects, and of the popular creed movement. In the same way objectively reports were made regarding the educational and training activities, and the reaction to the philosophical views of the party.

Q Were these basic principles along which the work was conducted made known beyond the narrower circle of co-workers?

A Yes, these basic principles according to which the work was performed

H1014 - 0003

was publicised not only among the subordinate officers but also among the broad masses of the people. This was publicized as well as in public lectures, particularly with non-party members.

Q Could you now say that those were principles according to which the Leitstellen and the V-men also performed their work?

A Yes, these principles were unified and were specifically for the entire intelligence service apparatus of Amt III.

Q The Prosecution charges that the SD was concerned with the persecution of the church. Page 1761 of the German translation. What have you to say about this?

A The SD has never pursued such an aim, nor has it set it as its goal.

Q Page 1764 of the German records charachterised the task of the Kirchenreferat (Church section) of the SD as follows :

" The ultimate goal is said to be the destruction of all confessional churches by submitting the reports which are to be collected by the Intelligence Service with the aim to stop the churches from high treason, while Germany is struggling for its life. "

A I again must state that Amt III did not contain a Kirchenreferat. The SD knew nothing of any such final aim as charged by the Prosecution. If such a goal should have been in existance it was only the individual idea of a leading personality of either the state or the church. The majority of the Party members were church members and 90% of the German nation belonged to some religious sect. To reach such an ultimate goal would have meant encountering the resistance of almost the entire German nation.

Q The Prosecution further charges that persecution of the church was one of the primary aims of the SIPO and SD. Page 1808 of the German translation. What do you have to say about that?

A

H1014 - 0004

A There was no common goal and aim of the SD and the GESTAPO, since the duty and tasks of both organisations were entirely seperate ones.

Q Did Amt III deal with problems of the religions wholly by way of Intelligence Service?

A Yes, in accordance with the general outline of duties for Amt III, entirely by way of Intelligence Service and without any executive action.

Q Trial Brief Page 57 against the GESTAPO and SD maintains that the SD and the GESTAPO persecuted the churches by secret procedures. Their aims were camouflaged in this respect. Did the SD camouflage its aims particularly in this matter?

A First the SD did not have common aims with the GESTAPO. There were no special secret procedures within the SD. In dealing with religious matters , the Sd had no secret aims. The duties and aims of the SD in connection with religion were just as outward as they were in all other spheres of life.

Q And did the SD take an attitude towards observing religion or religious currents and directions?

A As an objective Intelligence Service it was not up to the SD to take any attitude but merely to gather information primarily, From the information gathered by Amt III resulted the essential aims and goals which the SD reported publicly.

Q Was that the general concept of the SD workers?

A Yes, the principles of reporting were firmly established for all co-workers. The personal attitude of each individual worker in respect to religious and church problems was free, and Amt III did not influence it. The co-workers were selected not by their objections or dogmatic attitudes against the church but more by the fact that they would have been capable of understanding and reporting upon the affairs and difficulties of the church believing population.

H1014-0005

Q/ Did the reports of members of the SD and the SS who worked for the SD express any hostile attitude towards the church ?

A As an observer of all inclusive Intelligence Service, the SD had to report on all opinions of the population. Such one-sided personal attitudes were supplemented by opinions of members of both religious and non-religious people so that Amt III always achieved or strove for a complete picture.

Q In order to belong to the SD, did one have to join a religious movement approved by the Party and SS and did they have to resign from the Church?

A It was not important whether a worker/employed either on an honorary or full-time basis was a church member or not. A large number of co-workers were members of a Christian religion until the end.

Q Did the reports issued by the SD on Church problems have its consequence measures against the Church?

A Since the SD did not deal with churches as institutions or individuals, the reports issued by the SD were neither set nor were they directed toward the persecution of the church.

COL. ORLOV: The witness has already stated previously that the department III-C-2 had nothing to do with the church. Any further questions pertaining to that theme is unnecessary.

CAPT. TUBRIDY: Dr. Gawlik, don't you think you have pursued this line of questioning long enough?

DR. GAWLIK: Yes, sir.

BY DR. GAWLIK:

Q I will show you now document number PS-1815, and in this document the decree of 12 May 1941 pertaining to the dealing with churches by the Gestapo is mentioned. What effect did this decree have on the way church problems were dealt with by the SD?

H1014 - 0006

A The decree states the clearly recognizable operation of Amt III Interior, and the Gestapo and puts in its final form again the fact that Amt III - SD, had nothing to do with the churches any more than by merely intelligence service.

Q Was that a new regulation or was that merely the convenience of an extinct situation?

A No, that was not a new one by any means, but only the formal conclusion of a state of affairs existing for years. When the separation and turning over of the intelligence service to Amt IV had been completed, only where subordinate offices were concerned, the transfer of records which was requested by the separation decree took until 1941 to complete.

Q Before the separation, was there a common dealing and a unified goad between the Gestapo and the SD for the purpose of persecuting the churches in the sense which the Prosecution charges?

A According to my knowledge, there was never a common dealing with church problems by way of intelligence service or any other service. The problems in their essence and in their purpose which were set could never have been calmly dealt with.

Q Was the Gestapo office which dealt with church matters a successor of the SD office which previously had dealt with church matters?

A No, Amt IV had an independent office dealing with church problems.

Q How can one understand the decree of the 12th of May, 1941, which reads that "The security service, and the security police, dealt with the political positions which up until now were distributed among the SD sectors and state police offices, but now goes completely over to the state police offices."?

A The SD previously worked on churches which were considered to be an appearance of public life by way of intelligence service. This final decree which was preceeded by that practice of years formulated finally that the SD was no longer permitted to work

H1014 - 0007

on church problems even by way of intelligence service. It took long conferences before the SD was permitted to observe, by way of intelligence service, problems pertaining to religious life within the different spheres and within the different population levels.

Q According to the diary, the people in charge of church matters who, up to now, were in the SD sectors were to be transferred temporarily in the same capacity to the state police offices. They were to take over the intelligence service activity in this sphere. Does that mean that the activities of the SDAPO offices were the same as those of the SD offices?

A No, in the first place only a small number of SD co-workers were transferred to the Gestapo offices, because these people in the SD dealt with other matters besides the so-called church problems.

Q If the work of the SDAPO was entirely different from the activity of the SD, what was the reason why church experts with the SD security office were ordered to the SDAPO offices?

A I want to say once more that by no means were all of the experts transferred from the SD to the SDAPO. For the reasons I have just mentioned, it took place only a few times. When it did take place, it was because these church experts in the SD no longer had anything to do. But they had to be retained entirely for their new tasks.

Q Were the records which were transferred from the SD to the Gestapo offices transferred for the purpose of having the churches persecuted?

A No, definitely not. It was never one of the aims of the SD to work toward the persecution of the church. The police authority requested these reports on the basis of their police executive duties, but theSD, in accordance with this attitude, was not interested at all in individual cases or names but in a complete picture of the total.

H1014 - 0008

Q The witness Ohldach stated in his testimony, page 704 of the record, that he had received mountains of records and reports. To state it literally, he said that "they were so bulky that we did not take the time to read them." Please let us know what you think of this?

M. MONNERAY: Sir, I want to know whether it is admissible to present here the testimony of one of the witnesses of the defense counsel to another witness who is appearing here. The transcript has not been put into evidence yet and so, if the defense wants to impose one defense witness on another defense witness, it seems to me that it should be necessary to have both here.

COL. ORLOW: A few days ago I put a qu estion like that. I have put this question to another Commissioner and the Commissioner has ruled that it is not admissible that the testimony of one witness be used in connection with the questioning or shown to another witness.

CAPT. TUBRIDY: Who was this witness? Was he here yesterday for the Gestapo?

DR. GAWLIK: The witness was Ohldof.

CAPT. TUBRIDY: I don't see how, if he wants to refute some testimony, I don't see how he could possibly do it especially in the case of a witness he might pull. I think you may proceed, Dr. Gawlik, but your question is rather vague. You say please take an attitude. What does it mean?

DR. GAWLIK: That the witness explain this statement -- that he explain the point of view of the SD, or that he, so to speak, supplement the statement from the point of view of the SD.

CAPT. TUBRIDY: Alright, let's have it that way.

M. MONNERAY: May I ask that the reference to the other witness does not remain in the record? May I also ask that the defense counsel put the question in a different way without any reference to another witness?

7

H1014 - 0009

DR. GAWLIK:
c ~~I~~ just worded it like that in order to make it intelligible for the records, because when the Commissioner reads the records he will know what it refers to.

M. MONNERAY: I am sorry to object once more, but it would be very easy for the witness to submit this type of testimony without any redirect examination. Whenever the testimony is not in favor of the defense counsel especially.

DR. GAWLIK: But, as a witness of another organization, I should have an opportunity to question an SD witness about it.

CAPT. TUBRIDY: I don't really see where there is a great deal wrong.

LT. CMDR. HARRIS: I will join in the objection on the grounds that the question is leading and it suggests and gives the answer to the witness and should not be permitted in direct examination. I do not know how one could more clearly indicate the answer one wants than by reading the statement of another witness. I think the form is exceedingly bad, however I have not participated in this objection up to now because I am so anxious to speed this along that I would have permitted him to put the question. I think any answer to a question of this kind has very little credibility.

DR. GAWLIK: Let's wait first and see what the witness answered, then the Tribunal can ascertain whether or not the witness is credible.

CAPT. TUBRIDY: Dr. Gawlik, in view of the stage that this has reached, I think we will let the witness answer. Could you rephrase your question to the witness?

DR. GAWLIK: Of course.

BY DR. GAWLIK:

Q Witness, in the copy of the order of separation, it is maintained that the records and reports were sent to the Gestapo offices by the Leit Sectors, which the Gestapo ignored entirely because they neither had the time nor were they interested.

A I cannot say objectively just how large the volume of the material was which was transferred to the Gestapo by the SD since of course I did not know the volume of material available in the separate offices. If it states that the Gestapo did

H1014 - 0010

not look at these documents, then it only confirms the fact that the material was of no use to the Gestapo otherwise the Gestapo would have been guilty of official negligence.

Q Did the SD supervise the churches?

A No, because like in all other culturxal affairs, the SD did not have the duty of supervising the churches. Every sort of supervision would have been in fundamental contradiction to the task to be fulfilled by the SD.

Q Can you tell us whether and how many reports against the churches were made by the SD to the Gestapo?

A The SD did not report any one basically. That was not its task, but he issued single or summarized reports regarding the situation in the spheres of life.

Q Did the Gestapo have an intelligence service of its own pertaining to churches?

A Yes, according to my knowledge, theGestapo had an intelligence service which worked entirely independently . Alsok the separation decree just shown to me shows this fact uncontestedly.

Q Did the Gestapo have their own intelligence service xfkxr even before the 20th of May?

A So far as I know the Gestapo did have their own intelligence service used in connection with police duties. I cannot say on my own knowledge just how large it was. I only know that it was relatively small.

Q Did the Gestapo make use of the SD after the creation of Amt III?

A No, after the separation decree this was uncontestedly prohibited. Anyway, the intelligence service of Amt III was completely useless for any police task.

Q After the creation of Amt III and IV, were there regular work conferences and mutual information pertaining to measures and aims in regard to churches between the Gestapo and SD?

H1014-0011

A Regular and organized work conferences in this sense did not take place. Individual discussions took place from case to case. The theme for these individual discussions was the complete separation of their aims, as well as its practical results.

Q What was the influence of the Chief of the SIPO and the SD as the top authority between Gestapo and SD in the dealing of the church matters?

A Of my own knowledge, I cannot testify to the influence of the Chief of the SIPO and SD so far as the Amt IV of the Department is concerned. Secondly, he had no influence on the religious question dealt with in Amt III. For the fulfillment of these aims, Amt III and the chief of Amt III put up their own goals. The chief of SIPO and SD did not issue any decrees pertaining to both Amt III and Amt IV, their tasks and goals, so far as church questions were concerned. If there would have been such assignments given by the chief of the SIPO and the SD, I would have had to become aware of them as section chief in Amt III. Both Amts have worked together occasionally so far as personnel is concerned, and factually under entirely different lines under the chief of the SIPO and the SD.

Q Did the SD assist other authorities for the purpose of persecuting the church?

A No, it was not the duty of the SD to render aid according to orders, and he did not have to furnish any reports regarding churches.

M. MONNERAY: Would it be possible to ask the witness not to make such long speeches in regard to his political views?

DR. GAWLIK: Yes.

BY DR. GAWLIK:

Q The Prosecution charges on Page 57 of the trial brief against the Gestapo and SD that the camouflaged aims and secret procedures of the Gestapo and SD in their struggle against churches is utilized by the Gestapo in the destruction of Aachen. I am showing you this record. It is document PS-1815. Does this

H1014-0012

document show that the SD has pursued the camouflaged aim to weaken the church and to create the basis of the final destruction of the churches after the end of the war?

A May I ask the page of the document?

Q That is not given. Perhaps you can tell me that without using the document. You will stick to your statement that the SD did not have any camouflaged aims to persecute the churches?

A I can only give the answer after I have been permitted to look at the document.

DR. GAWLIK:

May I postpone the question in order to preserve time and the witness may be permitted to look during the break?

CAPT. TUBRIDY: Very well.

WITNESS: I believe I have foundit.

LT. CMDR. HARRIS; It is page 26, 27, and 28.

WITNESS: It is an extract, number 16, regarding the meeting in the Inspectorate at Dusseldorf on September 19, 1941. Obviously, this is a memo for the Gestapo offices. The document does not show whether the local SD office was informed of this document. A memo is neither a decree or an order since the Inspectorate of the SS and SD had no factual authority to issue orders. The memo only states the decision of the Inspectorate to achieve a comradely compromise between the entirely separate offices. It was particularly nessessary in the case of Dusseldorf because I recall that these two offices had very bad relationships so that in this particular case the chief of Amt III had to interfere from Berlin.

Q Did the SD Amt III regularly send reports to essential offices of the Party and the State pertaining to these religious problems?

H1014 – 0013

A The reports pertaining to religious problems emanating from SD groups came about slowl y and unsystematically. One expert, for years, took care of the religious problems coming into Amt III. This individual then changed and for a month these problems were not even dealt with. The intelligence service reports at first were completely unsystematic.

Q Did the basic conception of the SD clash with the National Socialistic principles and ideas?

A It was the attitude of the SD not to take an opposing attitude toward the basic principles of National Socialism because article 24 of the Party never had been cancelled. Hitler had repeatedly stated that he did not have any desire to be a religious prophet. Rosenberg had stated publicly that religion was a private affair and the strictly hostile attitude, as in the position taken by Bormann for instance, could not be considered the genuine will of the Party.

Q/ Did the SD reports characterize the churches in the occupied territories as enemies? That is, for the purpose of giving aid in the destruction and extermination of the churches?

A No, the SD treated these problems according to the same principles with which it treated churches inside Germany. Reports about churches in the occupied territories also was the task of theGestapo, Amt IV. Amt III hereto only dealt with general religious matters.

Q I submit to you a document No. R-101. It deals with the exploitation of church property. Did the SD participate in such measures?

A No, Amt III did not deal with this matter.

Q The Russian Prosecution, Document 1538, dated 17 February 1936, refers to a report according to which German Fascists were alleged to have persecuted the National Czech Church. Has the SD initiated any measures against the Czech National Church?

H1014-0014

A In my capacity as department chief in Amt III, I do not know of any such measures as charged by the prosecution, and furthermore, the basis of the separation decree prohibited the SD from taking part in certain measures.

M. MONNERAY: May I ask what this separation decree is that he is always talking about?

WITNESS: The decree which was submitted to me, which is dated 12 May 1941. The decree for which transfer of plans concerning churches, including those of an intelligence nature, was made to Amt IV.

BY DR. GAWLIK:

Q Page 5139 of the German translation quoted the report of the Polish Government which is alleged to contain the following words of Cardinal Glenda?

"The Ministers were persecuted mostly. Those who were permitted to remain were those who suffered innumerable tortures, and they were impeded in the administration of their ministerial duties. They were subject entirely to the arbitrarial actions of the Gestapo."

Did the office of the SD, in any way, support or aid in these measures against the Polish Ministry?

A The quotation which was just read confirms that only the Gestapo is alleged to have participated in it. The SD is not mentioned.

CAPT. TUBRIDY: Tell the witness I don't want any explanation of what he thinks of the document which is now in question.

Dr. Gawlik, we have let you run on all morning and I don't know how much weight his testimony will carry. I think you should limit your own time in dealing with the witness. What does he know, for example, of what went on in Poland? Was he there?

H1014 - 0015

WITNESS: I was chief of the sector office and if any measures were taken I would have been informed.

CAPT. TUBRIDY: He may have been informed but it does not necessarily mean he would have known about it.

DR. GAWLIK: I want to thank the Commissioner for pointing this out to me and I want to ask one more question regarding this chapter.

BY DR. GAWLIK:

Q Would you have had to be informed of any measures taken by the SD in Poland or measures in which the SD participated in Poland in your capacity as chief of the Amt III-C?

A Yes, I would have had to be informed of it as chief of Amt III-C.

Q Perhaps you could tell us why you would have to know about it?

A If the SD would have taken any measures, a report would have come to Berlin.

H1014-0016

Q. You would have had to deal with such a report?

A. I would have had to deal with that matter, as the competent chief of the department.

Q. Is the same thing true in the case of the Czech National Church?

A. Of course.

Q. I now come to point four, and I wish to see that the work of Department III-c4 did not consist of forming a conspiracy with the aim of crimes, etc. Will you describe briefly III-c3, III-c4.

A. It was the task of these two departments to observe and report all developments, false directions, and cares of the population concerning art, culture, press, radio, and publications.

Q. Were the reports of the departments pertaining to culture and art, press and radio, just as objectively critical as they were in the department dealing with religious life?

A. To a great extent, it was even more critical of matters taken by Party and State officials. The critique on propaganda led to prohibition by Himmler as forbidden, entitled "Reports from the Reich", because Goering spoke about it. That meant that the last critical organ in the Reich was eliminated.

Q. I now come to point five, and I want to elucidate the activities of point five...

CAPTAIN TUBRIDY: Perhaps we could have a recess at this point.

(recess)

BY DR. GAWLIK:

Q. I now turn to point five. I want to prove and elucidate the duties and activities of Section III-c5, and, in connection with that, that the SD did not participate in the confiscation by force, and distribution of, public property.

H1014 - 0017

Exhibit Six of the Trial Brief against the Gestapo and SD, Page 51 of the translation. What & were the duties and activities of Department III-c5?

A. To deal with cultural problems from the occupied territories by way of the intelligence service.

Q. Give us very brief examples.

A. For instance, regarding the employment of German scientists in occupied Western territories, regarding the national peculiarities of the different folkdoms and the independent spheres of the cultural areas.

Q. Did the SD participate in the confiscation of property of Jews or communistic officials in the occupied Eastern territories?

A. No; the SD did not have any right of confiscation.

Q. Did the SD take any measures in this respect?

A. No.

Q. Did the SD participate in the confiscation of religious, scientific, or art objects?

A. No; SD Amt Three had no authority hitherto to confiscate.

Q. If such decrees had been issued, which would have been the competent group of Amt Three?

A. Group III-c, within which I was a section chief.

Q. I will now show you Prosecution Document PS 071. It speaks of the "gliederung" taking any confiscatory measures--but this has to come from police or SD authorities.

A. The characterization "SD" has so many publications, is used wrongly, and compasses too much. The document refers merely to confiscatory measures taken by the police for which the SD was not competent.

Q. On 18 December 1945 the Prosecution charged that the SD and the SS shared the responsibility for public and private lootings. Will you give us any

H1014 - 0018

explanation as far as the SD is charged.

MR. MONNERAY: I am sorry. He answered this question already. He said that the SD had nothing to do with confiscating art treasures.

DR. GAWLIK: If the Prosecutor considers this question answered, I shall withdraw it.

By DR. GAWLIK:

Q. Perhaps you can explain why it is that you are able to answer this question for the entire SD.

A. As far as it is a matter of cultural values, I, as section chief, would have been competent for that.

Q. I further show you Document PS 137. It was introduced in the session of 18 December 1945, record page 1463. It deals with the confiscation of art objects in Belgium, Luxembourg, and France. Did the SD participate in these matters? Answer this question "yes" or "no."

A. No.

Q. I further show you Document USSR 41. It is a report of the extraordinary commission for finding and doing research on the shameful deeds of fascist German individuals and their aids. Did the SD participate in the measures enumerated in this document?

A. No.

Q. In the document USSR 93 is mentioned the Untersturmfuehrer Paulsen. This is the Trial Brief of the Poles against the German war criminals, their bodies and organizations, as designated under the Charter of the International Military Tribunal. Was Untersturmfuehrer Paulsen a member of Amt Three, SD?

A. No.

Q. I now turn to the last point--point six. I want to prove that the activities and goals of Section Six, Amt Three, and, in connection with that, that the SD

H1014 - 0019

did not function in the form of the Gestapo. What were the activities of Section III-c6?

A. For the internal use of Amt Three, Section III-c6 dealt with publications. It had to submit new publications to the respective experts; it had to coordinate literature for professional work; and it had to produce summaries pertaining to intellectual problems, which were suitable for the continuous intellectual education of the co-workers of the SD.

Q. If books were found which showed tendencies inimical to the Party, would they be submitted to the Gestapo?

A. Because III-c6 had as its duty to submit such reports for the intellectual discussion of the co-workers of Amt Nine, corresponding to the general tasks to be fulfilled by Amt Three, it did not have to function as a subsidiary intelligence service to the Gestapo.

Q. Was Amt III-c6 acquainted with the books by Professor Ritter?

A. Yes, I know that they certainly knew two books of Professor Ritter--one book about Frederick the Great, and another book called "Power, State, and Utopia."

Q. What tendencies did these books contain?

A. An attitude hostile toward the Nazis was camouflaged in them.

Q. Was the Gestapo notified of these things?

A. No.

Q. Was that a typical attitude of the SD?

A. Entirely typical.

Q. What other activities can you name which speak against this organization having participated in a war conspiracy?

A. In the first place, the areas in which the SD worked.

Q. Could you be more explicit?

A. That is, working areas were put together according to professional

H1014-0020

experts and representatives from all levels of the population. Party or SS xxxxxxx. membership were not necessary. To the contrary, it was desirable that very many non-Party members participated in the work. There was no particular obligation to keep silent for these working areas. They offered an opportunity to criticize very openly, also, where Party measures were concerned. In connection with cultural problems, the problem of the dissolution of the Party was openly discussed among these workers. The workers were known, for instance in the universities, as SD workers.

Q. I summarize my theme of proof. What was the result of the activity of Group xx III-c?

A. Amt III-c had set as its task--and also fulfilled it--to achieve summarized reports of all important developments, cares, and criticisms of the population. It always felt that it was a genuine speaker for the population.

Q. Did the SD, by its attitude, support the measures and goals set by Party or State authorities?

A. No. The SD found itself in sharp and openly avowed opposition to many high authorities. No unified coalition goal became visible in cultural areas, because it was a complete mix-up emanating from many different power groups. By the way, the Party could not issue directives to the SD.

Q. What can you say in conclusion about the work of the SD in cultural areas?

A. The SD in cultural areas was the only critical record.

CAPTAIN TUBRIDY: I think we should mention in the record that the witness is reading from notes.

A. (Cont.) Beyond that, the SD has attempted to pick up all important cultural problems. Thx At public xxxxx discussions and lectures, he avowed his attitude toward cultural questions freely, and cooperated in a fx free and rich configuration of the German cultural life.

H1014 - 0021

DR. GAWLIK: When did you start reading from your notes?

WITNESS: I did not read continuously. I just made a note with my pencil what I wanted to state. I did not prepare myself to answer this particular question at all.

MR. MONNERAY: I think that the witness has been reading most of his answers.

CAPTAIN TUBRIDY: Is that all the direct examination, Dr. Gawlik?

DR. GAWLIK: May I see the notes which the witness has made?

CAPTAIN TUBRIDY: Surely.

CROSS-EXAMINATION

BY MR. MONNERAY:

Q. You were the chief of III-c3, were you not?

A. Yes.

Q. People's culture and art?

A. Yes.

Q DR. GAWLIK: May I add the notes of the witness to the records?

CAPTAIN TUBRIDY: Dr. Gawlik, the witness has the notebook in his lap with notes on it, and it is to be assumed that he is using the notes in his testimony. If you don't want that inference drawn, he shouldn't have it in his lap. If he is using notes the record should indicate it
Proceed.

BY MR. MONNERAY:

Q. Your group didn't deal with religious life, i did it?

A. I stated yesterday that I simultaneously was in charge of Group III-c2, education and religious life, and that III-c2 dealt with religious life beginning approximately the middle of 1942.

Q. In 1941 did you deal with III-c2?

A. I dealt with problems pertaining to education.

20

Com. B
Take 2 - P 7
Noll
5 July 1946
Roessner

H1014 - 0022

Q. But not with religious life?

A. At that time religious life was a part of education.

Q. Now the Plan of Organization of 1 March 1941 gives as the chief of Education and Religious Life, SS Hauptsturmfuehrer Seibert. Is this correct?

A. Yes. That is right. But Seibert was in the army since, perhaps, 1940; I don't know exactly. I deputized for him, just as I deputized later for another chief of section.

Q. From whom did you get your orders?

A. From the group leader of III-c, or from Amt Three.

Q. From whom did the leader of III-c receive his orders?

A. He made his own independent decisions.

Q. So your answer is that he received no orders from anybody?

A. I cannot testify concerning that, as a subordinate section chief.

Q. So your answer is, you don't know who gave the orders to the chief of Amt Three. Is that correct?

A. All I know is from my discussions--that the task for the intelligence service was put independently.

Q. I ask you whether you know if the chief of Amt Three received orders from somebody else.

A. I don't know.

Q. Very well. Tell me, in the German administration, what means the word "participated", when speaking of one office with another office?

A. The word "participated" signifies that two entirely different and separate authorities are mutually interested in some fact or occurrence. In German useage the word is applied only if there are two entirely separate offices.

Q. What means the words, "this office and that office is concerned with the same matter"?

21

H1014 - 0023

A. It may mean that another office wishes to be informed, or must be informed.

Q. It could mean also the same as "participation", couldn't it?

A. I do not understand the question.

Q. I asked you whether the word "betroffen" could have the same meaning as "beteiligung", which means "participated." "Betroffen" means that the same matter would interest separate organizations. Is that right?

A. Yes.

Q. Had your office, Amt Three, any connection with offices of Amt Four?

A. May I ask what kind of connections--factually, organizational, or personnel?

Q. Well, you could answer me for the three parts in this connection.

A. Organizationally, both amts were entirely separate. Factually, they were entirely independent; and the personnel in both amts was completely different.

Q. So, was there any participation, for instance, between Amt Three and Amt Four?

A. Participation in the sense of information could be possible.

Q. So Amt Three got information from Amt Four. Is that right?

A. No. But Amt Three received information from Amt Four regarding having taken measures after the police measures were executed.

Q. But no information before police measures had been taken?

A. No. I have previously testified that there was a connection for information channels between subordinate offices of Amt Three and AmtFour.

Q. Now, in those subordinate offices, according to you, there was connection before police measures and after police measures?

A. I don't know whether in general or in individual cases, since I did not work in a subordinate office.

Q. I asked you: Is it correct that, when you were talking about separate offices, the relations existed before or after police action?

A. I was asked to have the word "connection" explained--whether it is a matter of factual information or whether it is a matter pertaining to

H1014 – 0024

individual cases.

Q. First, between Amt Three and Amt Four at the RSHA--did Amt Three receive information from Amt Four after police measures?

A. I can make a responsible statement for my own section only. Referring to those two sections, no.

Q. Now, let us go to the subordinate offices. Do you know anything about them?

A. I can only testify on the basis of Document 1815.

Q. We are ~~x~~ not interested in this now. We will ~~it~~ turn to it later.

A. I only worked in the RSHA.

Q. ~~Xxx~~ You were never outside of the RSHA?

A. I was an honorary worker in ~~the Bund~~ Bonn, but I was subordinate to the RSHA.

Q. In what year?

A. 1936-1939.

Q. In this activity, did you only deal with culture, art, and religion?

A. Only with culture and science.

Q. Did you receive any information from the Gestapo?

A. No.

Q. Did you send any information to the Gestapo?

A. I was a vertrauensmanne of the SD, and not of the Gestapo. I never transferred any information to the Gestapo.

Q. You had to send your reports to the chief of the SD, did you not?

A. Not to the chief, but to some professional experts who sent in inquiries.

Q. Everybody knew in Bonn/~~Bund~~ that you were a member of the SD?

A. Everybody knew it, but very few people in the University knew it.

Q. The V-man had not a secret mission. He could tell everybody that he was an informer for the SD. Is that right?

H1014 - 0025

A. Yes.

Q. You had no obligation at all not to tell that you were a V-man? Is that correct?

A. That's right.

Q. That's very good. Your answer now is quite sufficient for your credibility; Is it correct that Group III-c2 had concern with the matters dealt with by III-c2 and also were concerned with Amt Four?

A. No.

Q. So probably the organization plan of the RSHA of the 1 March 1941 is completely wrong, since under the space "participation" it is said: III-c2 referata concerned Amts Three, Four, Five. Not only Amt Four, even Amt Five. That means the criminal police. But you still maintain that your activity of education and religious life had nothing at all to do with police work. Is that correct?

A. Yes; I state that explicitly.

Q. And it is quite a mistake to have put the RSHA into the SD and the chief of the SIPO?

A. Yes. We always felt that that was a complete mistake.

Q. I submit to you document USA 484, The plan for organization was the participation of Four and Five. Is it correct, Witness, that this plan shows, under the space, "participation", Amt Four and Five? Answer "yes" or "no."

A. Yes.

Q. What was the meaning of SIPO?

A. Sicherheitspolizei.

Q. SD?

A. The old term, "sicherheitsdienst"--security police.

Q. But you maintain that your service had nothing to do with security.

A. The term,"sicherheitsdienst", security service, can be understood

H1014 - 0026

only from the point of view of development of the SS. Unfortunately, the term, "security service", does not testify to the inner independence of the Amt Three security service.

Q. You maintain your reports were always of a very impersonal nature. You were not interested in individuals?

A. Yes.

Q. Your reports about university professors is quite an exception, isn't it?

A. No, unless it was of personnel information, which obviously mentioned names.

Q. So the SD received requests for information about individuals, did it not?

A. Not to make reports, but to give information.

Q. And in this case your offices were consulting the records available?

A. In many, there were no records available.

Q. That information you gave about individuals only dealt with scientific matters?

A. No; I testified yesterday that they attempted to give a complete personality picture, which included scientific efficiency, character, way of life, and political ideas.

Q. So you gave reports on the political ideas of individuals, did you not?

A. Within the framework of the entire reports.

Q. And the Nazis stated it was very important to know what sort of political ideas people had, did they not?

A. Yes.

Q. Now, your activity had nothing to do with any political enemies of the State, had it?

A. No, basically not.

Q. What do you mean by "intelligence of enemies"?

H1014-0027

A. "Intelligence of enemies" was the designation for the intelligence service of Amt Four. It was a police intelligence service.

Q. You had no intelligence service dealing with enemies?

A. No, we had intelligence service with living spheres.

Q. And you didn't show in this living spheres intelligence the enemies of the State, did you?

A. No.

Q. You were in charge of giving a real picture to the authorities of the general public/ opinion, were you not?

A. Yes.

Q. And the fact that there were enemies within the State was of no interest to you, was it?

A. Using the Freiburg University as an example, I testified yesterday that we also reported on hostile attitudes.

Q. Now let us take USSR 185, USA 510. You have seen this document already, and it is the decree of separation, which would be called much better a decree of suppression. It says: "The SIPO and the SD study of church policies..." So it is correct that the SD was studying the church policies?

A. Amt Three was never interested in church policies.

Q. What a Amt was concerned with it?

A. There was no interior amt except Amt Three.

Q. But it seems to be very clearly expressed that the RSHA considered that the SD SA was dealing with church policies. Is this correct?

A. May I point out that, not the RSHA, but Amt Four ~~xxx~~ issued that decree.

Q. Yes, but I asked you whether it is clear, according to the text, that the SD was dealing with church policies. According to the text?

A. According to the text, yes.

Com. B
Take 2 - P 13
Noll
5 July 1946
Roessner

H1014 - 0028

Q. ~~Ixcontinuexxxx~~ We could infer from this document that the intelligence service dealing with enemies was to be taken over by the Gestapo from the SD? Is this correct?

A. No. The Gestapo now took over the intelligence service from the SD and had to reorganize ~~the~~ it entirely into a police intelligence service for its police purposes.

Q. Don't you agree with me that the words "intelligence of enemies", according to this context, is considered as coming from the SD?

A. No; the ~~forxxx~~ formulation is not exact.

Q. But if you were ~~a~~ not an expert with the SD, you could infer from this text that the SD had the intelligence of enemies?

A. I do not think I could testify since, as a former SD co-worker, I am prejudiced.

Q. I thank you very much for this statement. Now, you have told us that the whole intelligence service had to be re-organized, did you not? Nevertheless, according to the same text, it is a question of facts--and not a question of interpretation. It is said that the church specialists of the SD ~~have~~ had to be transferred from the SD to the Gestapo. Is this correct?

A. I gave testimony extensively on that this morning.

Q. Is it correct that, according to this text, SD church specialists were transferred from the SD to the Gestapo?

A. Yes, in individual cases.

Q. This phrase corresponds to the truth, doesn't it? Is it correct, also, when this text says that, at the same time with the church specialists, files of the SD have been transferred to the Gestapo?

A. Yes.

Q. You told us that those files did not concern at all the enemies of the

27

H1014 - 0029

State.

A. No, because these records from the SD did not refer to individual cases, but to the general church question.

Q. I would like to know your interpretation of this phrase: "The chief of the RSHA has furthermore ordered that ~~Nachrichtenxxxxxx~~ nachrichtendienst ~~evaluation,~~ material concerning church political opposition, hitherto the property of the SD-Abschnitten, should be handed over to the Gestapo stellen." So there were fights concerning the ~~xxxxx~~ enemies in the church, Isn't that correct?

A. ~~The~~ It goes without saying that the extensive records of the SD pertaining to church problems contained reports of certain church circles regarding their hostile attitude toward National Socialism. But these reports did not refer to police cases and could not have been made use of by Amt Four.

Q. Did you receive requests for information about the general appreciation of an individual only as far as the universities were concerned?

A. Yes.

Q. For instance?

A. From Reichs Education Minister regarding teachers.

~~A~~.Q. Who else?

A. From Reichs Propaganda Ministry regarding individual artists.

Q. That's sufficient. You were not mobilized during the war?

A. Yes; I was a soldier until 1940.

Q. Where were you?

A. In the first campaign before the Polish campaign, and military maneuvers.

Q. Which military formation?

A. Artillery.

Q. You had no connection with the secret field police?

A. No.

28

H1014 - 0030

Q. You had no connection with SD or police?

A. No, the artillery had no connection with them.

Q. And in the West the same position?

A. Yes.

Q. Did you know Dr. Knochen?

A. Yes.

Q. He was a member of the SD, was he not?

A. Yes.

Q. Did you have any connection with him in your office work?

A. In ~~xxxxxxxx~~ person, once; but I did receive reports from his office in Paris because there were one or several SD co-workers in his office.

Q. Had you any connection with Amt Six?

A. No.

Q. But Amt Six was also composed of members of the SD, was it not?

A. It was entirely different. I cannot say from my own knowledge.

Q. Didn't Amt Six deal with occupied territories?

A. Amt Six was the foreigh intelligence service. I do not know the details of its ~~orgizz~~ organizational structure.

Q. Wasn't it a general rule that the V-men were used by the SD?

A. During the time I was in office, yes. I know only partly the entire developmentof the SD, because I was not always a full-time, paid employee of the SD.

Q. But between ~~1944x~~ 1940 and 1944 the V-men were not confidential ~~xd~~ agents, were they?

A. No.

Q. When you had your impartial discussions in universities, after each discussion were any reports sent to the higher authorities about those discussions?

A. Yes, in different forms.

H1014 - 0031

Q. And you quoted also the opinions of people who participated, didn't you?

A. Yes.

Q. By opinion, but not by name?

A. Yes.

Q. But you marked the names in your files, did you not?

A. No. To a great part, no. The working figures were to a great extent unknown by name to the hauptamt.

Q. Now I would like to read 1852B-PS, by Dr. Best. "Finally it has to investigate politically and explore fundamentally the activities and connections of the great ideological arch-enemy of National Socialism and the German people, in order thereby to render possible a purposeful and effective fight against it." Is this correct?

A. No; that was a private and personal wish-dream of Dr. Best.

Q. But this sort of definition fits quite well, when it coordinates the inspectors of the SIPO and the SD and Himmler himself?

A. Every expert will find that this description contradicts the facts.

(The Commission adjourned until 1400 hours.)

Com B
Take 3, page 1
Biolsi
1400 - 1530
5 July 1946
Hans Roessner

H1014-0032

The Hearing reconvened at 1400 hours
5 July 1946

HANS ROESSNER - Resumed
CROSS-EXAMINATION - Continued

COMMISSIONERS:

Col Neave
Martin-Harvard Armand

* * *

BY COL NEAVE:

Before the hearing continues I want to read an order. Please ~~Do~~ take this down into the record (to the reporter). It is an order on affidavits dated 5 July. It will be published in the Defense Information Center.

The Tribunal orders that

(1) All affidavits or interrogatories from witnesses for accused organizations will be examined by the Cimmissioners before their submission to the Tribunal;

(2) The following procedure will be adopted by the Commissioners in examining such affidavits or interrogatories:

(a) Counsel for the defense will read a summary of the affidavir or group of affidavits or interrogatories to the Commissioners in the presence of the prosecution.

(b) The prosecution shall be entitled to comment on, or object to the evidence.

(c) If the Commissioners decide that the affidavit or interrogatories are relevant in accordance with paragraph 6 of the Tribunal's order of 13 March they shall register

H1014 - 0033

the original document with the General Secretary's office.

(d) The Commissioners shall submit the transcript of the proceedings before the Commission, including the summary of the affidavit or interrogatory, to the Tribunal. In exceptional cases they shall make provision for translation and circulation of the complete document.

(e) Both the Commissions will remain in session for this purpose until further notice.

There is an announcement regarding the summarization of collective affidavits, which I don't propose to read now but which will be published in the Defense Information Center.

On Monday next at 10:00 o'clock in Room 398 the examination of affidavits will begin and as already announced members of the prosecution and defense are requested to be present, at 10:00 o'clock, for a short discussion on procedure.

(And Commissioner Neave exits.)

MR MONNERAY:

I am finished. Lt. Cmdr Harris wishes to put some questions to the witness.

LT CMDR HARRIS:

Q In 1940 what did Section 2B3, RSHA handle?

A I cannot say anything regarding 2B3.

Q Who was Dr.Seitz?

A Dr. Seitz finally was chief of Amt 7.

H1014 - 0034

Q What was he before he became chief of Amt y?

A I do not recall. He was chief of one of the Central Sections. I do not know anything about the details.

Q You know he was for a number of years a member of the SD?

A Yes, sir.

Q Now, the Office of Amt 7 had to do with ? research, didn't it?

A It had to do with scientific research pertaining to library and records.

Q Now, I want to ask your counsel to show you document R-101 again. (And the document is handed to counsel, who, in turn, hands it to the witness; and who, in turn, examines it.)

You testified at some length about this document this morning.

A Yes, sir.

Q You will note that this document emanates from Department 2B3?

A That does not show exactly on the document because there are two figures given here.

Q What are the two figures given there?

A 2B3 and 211-31.

Q Yes, and you know that the office of designation is the 2B3, isn't it.

H1014 - 0035

A It is not customary to put two designations of offices side by side.

Q Quite so. And the document is signed Seitz, (?) is it not?

A Yes.

Q So that when you testified this morning you knew SD had nothing to do with this matter; you knew that the person who signed the letter was a member of the SD, don't you? Answer it yes, or no, please.

A That he was a member of the RSHA. What his position as chief of the section was at that time I don't know. I returned to the RSHA early in August 1940.

Q But the point is you already testified as though you had personal knowledge of this document. And you don't even know what the activities were of the department that sent out the document, do you?

A All I stated this morning was that SD Inland AMT III had nothing to do with it. Because at that time Ohlendorf was chief of AMT III. And the cipher shown under the letter-head should have read III and something else.

Q The question was whether the SD had something to do with it. That is the question I put to you. And you don't deny that the SD had something do do with this, but your contention is that AMT III of the SD had responsibility?

H1014 - 0036

A My entire testimony which was heard here was with respect to AMT III.

Q Well, I take it you answer this last question as yes; and we can pass on to another question.

A May I ask what the question was - may I ask that it be repeated please?

(The question: "The question was whether the SD had something to do with it. That is the question I put to you. And you don't deny that the SD had something to do with this, but your contention is that AMT III of the SD had responsibility." It was repeated to the witness.)

A This document does not show in any way that he had something to do with.

Q Except the signing of it...

A I do not know what was the official capacity of .... at the time of the signing of this document.

Q Then your answer is you don't know?

A I don't know.

Q You said that AMT VII handled the archive and ideological research. Where did AMT VII obtain the material that it put into the Archives.

A I do not know since there was no sort of working cooperation with AMT VII. I myself never worked with AMT VII.

H1014 - 0037

Q You know that AMT VII received some of this material from captured and confiscated sources in occupied territories?

A I ~~xxxx~~ know that from hearsay; but by own knowledge I cannot testify to that.

Q I will show you Document L-143. This is another document which appears to have two department designations in the heading. Can you tell me whether that heading indicates that in the preparation of this document both department 4 and Department 3 of the RSHA had something to do with it?

A That is not a document of the RSHA. That is a document emanating from the Reich Commissioner for the information of German Folkdom.

Q Well, now, the document is on the stationery of the Reichsfuehrer of the German Police, isn't it? It is sent for action to certain Gestapo agents and to certain commanders of the security police and security service, isn't it?

A I don't know what action was to be taken because I don't know the contents of the document.

Q Well, now, let's look at the second paragraph. It says, 21. This relates to confiscation. It says historical and p..... articles, documents, books, which are of interest for cultural value of all public life especially for the question of the German share in the historical, cultural

H1014 - 0038

and economic development of the country, and documents which are relevant for the history of present events.

Now, those certainly would be documents which both AMT III and especially AMT VII would be vitally interested in?

A AMT III as Intelligence, not at all; but AMT VII I would not know.

Q Do you know what the policy of the Nazi Party was toward the Churches?

A I don't know ~~that~~ that there was a unified action of the Nazi Party toward the Church.

Q But you were, as a member - as chief of AMT IIIC interested officially in the existence of institutions which opposed the moral senses of the German race, were you not?

A May I ask what he means -- I don't know what he means by moral senses of the German people.

Q Perhaps you can understand it a little better by reference to the National Socialist Year Book of 1941 which contains the statement of the official attitude of the Party toward the Church. (And here he quotes a sentence therefrom, in German (translation)..."We demand freedom of religion for all religions denominations within the State so long as they do not endanger its

H1014 - 0039

existence or oppose the moral senses of the germanic race."

I am only quoting their language. Did you know that that was the official attitude of the Nazi Party towards the Church?

A I hear that formulation here for the first time.

Q You knew that much opposition to the Nazis came from religious groups, didn't you?

A Religious policy?

A Yes.

Q I do not know that they were basically opposed to the Nazi Party, but that they represented different concepts in regard to Church and religious matters. That does not mean a general rejection of the Party of National Socialism because by far the larger part of the Party members were also Church members.

A Well, the National Socialist idea was of course to subordinate the Church to the State and render it politically ineffective, was it not. The Church basically never had any political tasks, but had one of care for souls.

Q Did the Church as an institution, or the clergy, raise their voices against national socialism either on moral or political grounds, and the repressive agencies within the Nazi State took appropriate action?

A I cannot say either yes or no in this general form.

H1014 - 0040

Q Well, you answer it, and then explain it. Is that basically true or false?

A I want to use this sentence to answer my question: On the basis of this paragraph contained in the German legal code for decades, political accused of the pulpit against the State, it was ordered that measures would be taken even during the Wiemar Republic. It is fiction, in my personal opinion, to say there was a general prosecution of the Church after 1933.

Q Well, you know that Bormann actively used his full influence to persecute the Church, especially in the latter year?

A Yes, sir. Bormann's personal attitude was rejected assiduously by a large part of the Party and he was attacked on that basis too.

Q But he succeeded to make his indignation toward the Church effective through large sections of the Party?

A No, he was obviously not successful because in 1942 90% of the Church/people were still Nazi members. Since statistics show 80% of the SS leaders being members of the Church

Q I am not questioning whether Bormann or the Nazis were successful in bringing the people to the point of giving up membership in the Church.

H1014 - 0041

A I beg your pardon - I didn't understand your question.

Q I am asking about the obvious restrictions that were placed upon the people in the exercise of their religious freedom, such as opportunity to meet together at outings, and picnics, all of which were opposed, in many instances requested by Nazi Party leadership, pursuant to Bormann's directives -- and you are one, because you are the one receiving reports on this.

A As far as there were questions immediately concerning the Church we were not the ones receiving reports, but as I said this morning it was AMT IV.

Q I want to show you Document R-142, USA 487. (Shows the witness the document.) This document has been discussed at some length in these proceedings. It is a document which shows that at least the security service at Coblenz invaded the secrecy of the ballott in the plebescite in 1938. I don't want to read it into the record again, but I call your attention to the sentence on the part of 22 April 1938, to the SD, at Coblenz.

(Quoting): "The high percentage of * * * has as its reasons in nearly all cases in the religious attitude of the population irrespective of whether they are Catholics or Protestants."

That shows that the SD was interested in this matter of

H1014 - 0042

religious attitude in political spheres.

A My testimony, may I say again, referred to AMT III only.

Q In other words you are not testifying up to the period September 1939?

A My knowledge there is only a general knowledge of the records which I saw.

Q And your general knowledge is, I amsure, as this report doubtless was forwarded to the main office of the security service, that the religious attitude of the German people resulted in some opposition to the Nazi State, which it sought to suppress?

A I wish to state that in regard to this document, that this is quite a remarkable activity of this branch office. Secondly, that it does now show that the RSHA received this report or anything regarding it, and in the third place I have testified already this morning extensively that the security service AMT III observed and reported on criticisms of the Church going population on measures about the Party and the Party itself, but not with a tendency, and that is the main point, to regard the Church going population as politically opposed, but with the aim to take the religious needs of the population seriously, also from the point of the Party. This corresponded to the question presented essentially by AMT III. This was also the

H1014-0043

personal concept of the chief of AMT Ohlendorf.

Q And you submitted these reports on the reaction of the population to the anti-religious measures of the Nazi State to the interested State offices?

A Yes, sir.

Q Now, I just have one other question, and this also is taken from the National Socialist Order Book of 1941. By 1941 I guess you had a fairly good idea of the purposes and activities of the SD, didn't you?

A Yes. Only that the tasks and duties from year to year revolved on the work itself. We were clear on our votes and aims in 1944 than we were in 1941, because only then we had extensive material to work from.

Q I am talking actually about the period, the first war year 1939/40, and I want to read to you what the official statement of the purposes of the SD were for that period as they appear in the National Socialist Book of 1941:

The Security Service SD of the SS is a thorough political intelligence service created in accordance with the principles of racial and ideological selection as required by the SS. It became the real security service for the SS, the Party and the Reich. It has proved its significance during the war year 1939-40."

Now, I take it that you don't dispute that report, do you?

H1014 - 0044

A I basically want to argue that. In the first place I don't know whether this Book is an official publication. I do not know who formulated this grand propagandistic phrase, and in the third place this phrase does not conform to the facts.

Q Let us read on to the next paragraph and see whether you agree with this:

The Security Service is organized in corps areas and division areas in close similarity to the general SS. Its chief is SS Gruppenfuehrer Heydrich, who was at the same time chief of the Security Police. Part of the duties of the Security Service is to watch for any changes in the manner of working and attacks of the enemy, and to protect the people against any kind of seditious leaders and manner of the security service work in cooperation with the chairman of the security police, whose members had a duty also to investigate and fight against any national hostile intention in the provinces of the protectorates and the newly one eastern territories, to valuate and to gather the results of the uprisings...

A According to my knowledge the only thing correct in this paragraph is that Heydrich was simultaneously chief of the security police and of the SS. Everything else is either wrong or at that time already antiquated. The author of the article probably did not even take the pains to find

H1014 - 0045

from the outside regarding the tasks and aims of the SD. At that time according to my knowledge there were no longer any Oberabschnitte.

Q In the year 1939?

A According to my knowledge 1938 and 1939 the last Oberabschnitte were dissolved. I don't know the exact date.

Q I think it was 27 September.

All right, I am through with my questions.

* * *

BY COL ARLOV:

There was in AMT III a group also which dealt with cultural problems in occupied territories?

A Yes, I stated that this morning, that it was Section 3C5 which dealt with general cultural problems in the occupied territories.

Q So this group has received such material, investigated, treated, and made reports on the basis of this material?

A The material which this group had was very incomplete and showed big gaps because the SD in occupied territories suffered from shortage of personnel, and accordingly the reports made by the SD were also correspondingly incomplete.

H1014 - 0046

Q You have told us that your group had worked entirely independently and without any pressure. That you always made exact and correct objective reports.

A That at least was our aim.

Q Do you consider yourself an educated person?

A I am very careful when I refer to the word "educated". And I believe that my own intellectual education is not as yet finished.

Q Are you something like a university professor?

A I am a scientific assistance, and I wanted to become a professor.

Q Have you ever heard or read anything about Russian culture?

A Only very little. Unfortunately, I know too little of the culture of the East.

Q Did you hear the names of Tolstoy, Dostoyevsky and Pushkin(?) ?

A Yes.

Q Did you ever hear or know or read that the Russian culture is at least on the same level with any Eastern culture?

A As a scientist I am not in a position to judge that since I lack the necessary knowledge of Russian culture.

Q Have you ever received any report from your groups

H1014-0047

or sections in the East that German barbarians have destroyed many Russian monuments, for instance, the House of Tolstoy, the ....

A I have not known.

Q So what you hav e received from Russian reports was a description which was not objective?

A It is not a question of whether it was objective or non-objective, but whether complete or incomplete. I have declared before that reports derived from occupied territories were exceedingly incomplete.

Q I shall change my question slightly.

Have you received one single report which described that German barbarians destroyed Russian cultural monuments?

A No, not a one.

Q Did you know anything - that the German general -- a very well known general, for instance, General Reichenau.... I am submitting an order dated 10 Oct 1941. The number is USSR 12. The document refers to the behavior of the troops in Estonia.

THE COMMISSIONER:

Has this document already been submitted, or is it now for the first time?

COL ARLOV:

That has been submitted several times.

H1014 – 0048

Page 2 says this document, signed by General Fieldmarshal Reichenau... I shall only read a very small sentence: Neither historical nor artistic considerations play a part here in the Eastern area.

Have you ever heard of that?

A I have not heard anything about it, ever, no.

Q Have you ever heard anything regarding the Einsatzstab Rosenberg?

A Yes, sir, I have heard of it.

Q Have you cooperated with Einsatzstab Rosenberg?

A No.

Q Did you receive any reports concerning the activities of the Einsatzstab Rosenberg?

A If my memory serves me right we did not receive any reports.

Q From Russia?

A No, none.

Q What is the difference, actually and in fact, between Group 3C of the Ministry for Propaganda and Peoples Enlightenment?

A Group 3C of AMT III was a subsection of the Interior Intelligence Service, and their tasks were purely those of intelligence service and cultural matters. The Reich Propaganda Ministry was a State superior authority with

H1014-0049

leadership and administrative tasks in the spheres of propaganda and enlightenment.

Q In fact Group 3C and the other authority have performed the same work?

A No, the Group 3C was not a Ministry, and the Enlightenment was not an intelligence service apparatus.

Q Who do you object so strenuously the connection, any connection between Amt III and Amt IV. Perhaps you are ashamed of the criminal work of the Gestapo?

A As a witness before this Court I have to testify to facts and whatever I have testified to regarding the SD corresponds to facts according to my knowledge. I would have lied had I made any other statements.

Q Is it correct that both AMTS had one chief?

A No. Each AMT had spearate chiefs.

Q And Himmler was Reichsfuehrer SS and SD?

A Himmler was Reichsfuehrer SS and chief of the German police.

Q And there were no connections between you and Himmler?

A The AMT III in its functions as Inaldn SD was by the channel of the chief of the SIPO and the SD, in connection with Himmler. I am not a lawyer so I cannot describe this organization exactly. The function of the

H1014 - 0050

Inland SD was derived, without any influence, from its own independent tasks and aims.

Q Did you or did you not take a trip on duty to Russia during the war?

A No, I have never been in Russia.

Q Your Group 3C was the apparatus whose duty it was to lead the struggle against the enemies of national socialism?

A During my entire testimony I brought forth individual examples proving that / that was not a part of its duty.

Q Do you confirm .. that you did not lead a struggle against the enemies of national socialism?

A Yes, I again confirm this since we were an intelligence service without executive powers.

THE COMMISSIONER:

Have you many questions xxxxx to ask? (To Defense Counsel).

DR GAWLIK:

No. I have no questions pertaining to the facts. I only have some questions pertaining to the records which were taken this morning.

LT CMDR HARRIS:

Are these going to be re-direct or is he starting on a new examination? We have already gone well over our time with this witness....

H1014-0051

THE COMMISSIONER:

I believe this is a question which is beside the hearing of this witness. This is a material question regarding the transcripts. Do you agree to it?

IT CMDR HARRIS:

All right. I misunderstood.

DR GAWLIK:

Q Did you read, during the interrogations, did you read your answers?

A No, I had not written down the answers.

Q The book which you had in front of you, does that contain the answers or are they only cues?

A It only contains cues, as can be seen, in order that this testimony during which more than 100 questions were asked, so I should not forget points of use which seemed important to me. The Commissioner did not instruct me that this was not permissible.

DR GAWLIK:

Q Will you tell us in answer to what questions you needed this pad?

A They are only a very few, in order to answer them correctly I would have to take it up point by point. Almost one-half of the the notes were made during the session and not before.

Q I submit that the remark in the record should be changed as follows:

H1014-0052

"The witness in answering these questions uses a pad which contains cues." For proof I am offering the note pad to the Commissioner.

THE COMMISSIONER:

Mr Monneray, what you have to say?

[redacted]

MR MONNERAY:

I should like to ask one question regarding this point, and my colleague Cmdr Harris would also like to ask a few questions.

Q Witness, did you know Document 1815 before your testimony of today?

A I did not know the document. I only knew the number which was mentioned in other testimony and was discussed at the witnesses' house.

LT CMDR HARRIS:

Q Do you remember being shown the document before you testified here this morning, which contained this basic decree separating religious responsibilities between the SD and the Gestapo?

A Of course I was acquainted with the separation decree in my work.

Q I asked you whether you saw the document.

A I saw the document in Berlin in the Archive.

Q Did your attorney show you a photostatic copy

H1014-0053

of this document here in Nurnberg before you testified?

A Yes, sir.

Q And you made up your notes in response to a list of questions which your attorney gave you, didn't you?

A No, I made notes as the most important points which I wanted to bring up in my answers.

MR. MONNERAY:

And you told me just a few moments ago that you did not know document1815 until you came here, didn't you?

A As I saw the document this morning the document comprised 35 pages, and the first page.... (interruption)

Q Very well, this answers quite sufficiently.

LT CMDR HARRIS:

I have no objection to the comments of the defense counsel.

All counsel agree: we have no objection against the change asked for by the counsel for defense witness.

THE COMMISSIONER:

Before closing I would like to ask the counsel to keep, or give me, the little notebook you brought with you. As I should like to discuss it with my colleagues of the Commission. I will return it to you tomorrow.

~~And the notebook was handed to the Commissioner.~~

* * *

The foregoing is a true and correct transcript of the testimony of ROESSNER taken 5 July 1946.

P. A. Ahuna
Reporter 1-14

Jr. Genevieve Brolsi
REP 31-52

Hott Dj. Noel
Reporter 15-30

H1014-0054

CERTIFIED TO: Ann Sneare
Commissioner

H1014-0055

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

5 July 1946.

(The Commission convened at 1000 hours.)

COMMISSIONER:
Captain Joseph Tubridy.

THE S.D.

CAPTAIN TUBRIDY : Will you please remind the witness that he is still under oath.

DIRECT EXAMINATION

BY DR. GAMLIK:

Q. Will you describe briefly how the SD dealt with matters pertaining to church and religion ?

A. The group III-C SD Interior essentially did not deal with questions pertaining to church problems, but dealt with problems of the religious life within the German peoples. The SD had to observe and report what religious currents could be observed within the German nation. This included the activities of the Christian Church as well as those of the different sects, and of the popular creed movement. In the same way objectively reports were made regarding the educational and training activities, and the reaction to the philosophical views of the party.

Q. Were these basic principles along which the work was conducted made known beyond the narrower circle of co-workers ?

A. Yes, these basic principles according to which the work was performed was publicized not only among the subordinate officers but also among the broad masses of the people. This was publicized as well as in public lecture particularly with non-party members.

Q. Could you now say that those were principles according to which the Leitstellen and the V-men also performed their work ?

A. Yes, these principles were unified and were specifically for the entire intelligence service apparatus of Amt III.

H1014-0056

Q. The Prosecution charges that the SD was concerned with the persecution of the church. Page 1761 of the German translation. What have you to say about this ?

A. The SD has never pursued such an aim, nor has it set it as its goal.

Q. Page 1764 of the German records characterized the task of the Kirchenreferat (Church Section) of the SD as follows :

"The ultimate goal is said to be the destruction of all confessional churches by submitting the reports which are to be collected by the intelligence Service with the aim to stop the churches from high treason, while Germany is struggling for its life."

A. I again must state that Amt III did not contain a Kirchenreferat. The SD knew nothing of any such final aim as charged by the Prosecution. If such a goal should have been in existance it was only the individual idea of a leading personality of either the state or the church. The majority of the Party members were church members and 90 % of the German nation belonged to some religious sect. To reach such an ultimate goal would have meant encountering the resistance of almost the entire German nation.

Q. The Prosecution further charges that persecution of the church was one of the primary aims of the SIPO and SD. Page 1808 of the German translation. What do you have to say about that ?

A. There was no common goal and aim of the SD and the GESTAPO, since the duty and tasks of both organizations were entirely separate ones.

Q. Did Amt III deal with problems of the religions wholly by way of Intelligence Service ?

A. Yes, in accordance with the general outline of duties for Amt III, entirely by way of Intelligence Service and without any executive action.

Q. Trial Brief Page 57 against the GESTAPO and SD maintains that the SD and the GESTAPO persecuted the churches by secret procedures. Their aims were camouflaged in this respect. Did the SD camouflage its aims particularly in this matter ?

A. First the SD did not have common aims with the GESTAPO. There were no special secret procedures within the SD. In dealing with religious matters, the SD had no secret aims. The duties and aims of the SD in connection with religion were just as outward as they were in all other spheres of life.

H1014-0057

Q. And did the SD take an attitude towards observing religion or religious currents and directions ?

A. As an objective Intelligence Service it was not up to the SD to take any attitude but merely to gather information primarily. From the information gathered by Amt III resulted the essential aims and goals which the SD reported publicly.

Q. Was that the general concept of the SD workers ?

A. Yes, the principles of reporting were firmly established for all co-workers. The personal attitude of each individual worker in respect to religious and church problems was free, and Amt III did not influence it. The co-workers were selected not by their objections or dogmatic attitudes against the church but more by the fact that they would have been capable of understanding and reporting upon the affairs and difficulties of the church believing population.

Q. Did the reports of members of the SD and the SS who worked for the SD express any hostile attitude towards the church ?

A. As an observer of all inclusive Intelligence Service, the SD had to report on all opinions of the population. Such one-sided personal attitudes were supplemented by opinions of members of both religious and non-religious people so that Amt III always achieved or strove for a complete picture.

Q. In order to belong to the SD, did one have to join a religious movement approved by the Party and SS and did they have to resign from the Church ?

A. It was not important whether a worker employed either on an honoray or full-time basis was a church member or not. A large number of co-workers were members of a Christian religion until the end.

Q. Did the reports issued by the SD on Church problems have its consequence measures against the Church ?

A. Since the SD did not deal with churches as institutions or individuals the reports issued by the SD were neither set nor were they directed toward the persecution of the church.

COL ORLOV: The witness has already stated previously that the department III-C-2 had nothing to do with the church. Any further questions pertaining to that theme is unnecessary.

CAPTAIN TUBRIDY: Dr. Gawlik, don't you think you have pursued this line of questioning long enough ?

H1014-0058

DR. GAWLIK: Yes, Sir.

BY DR. GAWLIK:

Q. I will show you now document number PS-1815, and in this document the decree of 12 May 1941 pertaining to the dealing with churches by the Gestapo is mentioned. What effect did this decree have on the way church problems were dealt with by the SD ?

A. The decree states the clearly recognizable operation of Amt III Interic and the Gestapo and puts in its final form again the fact that Amt III-SD had nothing to do with the churches any more than by merely intelligence service.

Q. Was that a new regulation or was that merely the convenience of an extinct situation ?

A. No, that was not a new one by any means, but only the formal conclusi of a state of affairs existing for years. When the separation and turning over of the intelligence service to Amt IV had been completed, only where subordinate offices were concerned, the transfer of records which was requested by the separation decree took until 1941 to complete.

Q. Before the separation, was there a common dealing and a unified goad between the Gestapo and the SD for the purpose of persecuting the churches in the sense which the Prosecution charges ?

A. According to my knowledge there was never a common dealing with church problems by way of intelligence service or any other service. The problems in their essence and in their purpose which were set could never have been almly dealt with.

Q. Was the Gestapo office which dealt with church matters a successor of the SD office which previousl had dealt with church matters ?

A. No, Amt IV had an independent office dealing with church problems.

Q. How can one understand the decree ii the 12th of May, 1941, which reads that "the security service and the security police, dealt with the political positions which up until now were distributed among the SD sectors and state police offices, but now goes completely over to the state police offices "?

A. The SD previously worked on churches which were considered to be in appearance of public life by way of intelligence service. This final decree whi was preceeded by that practice of years formulated finally that the SD

H1014-0059

was no longer permitted to work on church problems even by way of intelligence service. It took long conferences before the SD was permitted to observe, by way of intelligence service, problems pertaining to religious life within the different spheres and within the different population levels.

Q. According to the diary, the people in charge of church matters who, up to now, were in the SD sectors were to be transferred temporarily in the same capacity to the state police offices. They were to take over the intelligence service activity in this sphere. Does that mean that the activities of the SDAPO office were the same as those of the SD offices ?

A. No, in the first place only a small number of SD co-workers were transferred to the Gestapo offices, because these people in the SD dealt with other matters besides the so-called church problems.

Q. If the work of the SDAPO was entirely different from the activity of the SD, what was the reason why church experts with the SD security office were ordered to the SDAPO offices ?

A. I want to say once more that by no means were all of the experts transferred from the SD to the SDAPO. For the reasons I have just mentioned, it took place only a few times. When it did take place, it was because these church experts in the SD no longer had anything to do. But they had to be retained entirely for their new tasks.

Q. Were the records which were transferred from the SD to the Gestapo offices transferred for the purpose of having the churches persecuted ?

A. No, definitely not. It was never one of the aims of the SD to work toward the persecution of the church. The police authority requested these reports on the basis of their police executive duties, but the SD, in accordance with this attitude, was not interested at all in individual cases or names but in a complete picture of the total.

Q The witness Ohldach stated in his testimony, page 704 of the record, that he had received mountains of records and report To state it literally, he said that "they were so bulky that we did not take the time to read them." Please let us know what you think of this?

M. MONNERAY: Sir, I want to know whether it is admissible t present here the testimony of one of the witnesses of the defense counsel to another witness who is appearing here. The transcript has not been put into evidence yet and so, if the defense wants to impose one defense witness on another defense witness, it seems to me that it should be necessary to have both here.

COL. ORLOW: Afew days ago I put a question like that. I have put this question to another commissioner and the commissioner has ruled that it is not admissible that the testimony of one witness be used in connection with the questioning or shown to another witness.

CAPT. TUBRIDY: Who was this witness? Was he here yesterday for the Gestapo?

DR. GAWLIK: The witness was Ohldof.

CAPT. TUBRIDY: I don't see how, if he wants to refuse some testimony, I don't see how he could possibly do it especially in the case of a witness he might pull. I think you may proceed, Dr. Gawlik, but your question is rather vague. You say please take an attitude. What does it mean?

DR. GAWLIK: That the witness explain this statement -- that he explain the point of view of the SD, or that he, so to speak, supplement the statement from the point of view of the SD.

CAPT. TUBRIDY: Alright, let's have it that way.

M. MONNERAY: May I ask that the reference to the other witnes does not remain in the record? May I also ask that the defense counsel put the question in a different way without any reference to another witness?

DR. GAWLIK: I just worded it like that in order to make it intelligible for the records, because when the Commissioner reads

H1014-0060

H1014-0061

the records he will know what it refers to.

M. MONNERAY: I am sorry to object once more, but it would be very easy for the witness to submit this type of testimony without any redirect examination. Whenever the testimony is not in favor of the defense counsel especially.

DR. GAWLIK: But, as a witness of another organization, I should have an opportunity to question an SD witness about it.

CAPT. TUBRIDY: I don't really see where there is a great deal wrong.

LT. CMDR. HARRIS: I will join in the objection on the grounds that the question is leading and it suggests and gives the answer to the witness and should not be permitted in direct examination. I do not know how one could more clearly indicate the answer one wants than by reading the statement of another witness. I think the form is exceedingly bad, however I have not participated in this objection up to now because I am so anxious to speed this also that I would have permitted him to put the question. I think any answer to a question of this kind has very little credibility.

DR. GAWLIK: Let's wait first and see what the witness answers then the Tribunal can ascertain whether or not the witness is credible.

CAPT. TUBRIDY: Dr. Gawlik, in view of the stage that this has reached, I think we will let the witness answer. Could you rephrase your question to the witness?

DR. GAWLIK: Of course.

BY DR. GAWLIK:

Q Witness, in the copy of the order of separation, it is maintained that the records and reports were sent to the Gestapo offices by the Leit Sectors, which the Gestapo ignored entirely because they neither had the time nor were they interested.

A I cannot say objectively just how large the volume of the material was which was transferred to the Gestapo by the SD since of course I did not know the volume of material available in the separate offices. If it states that the Gestapo did not look at

H1014-0062

those documents, then it only confirms the fact that the material was of no use to the Gestapo otherwise the Gestapo would have been guilty of official negligence.

Q Did the SD supervise the churches?

A No, because like in a other cultural affairs, the SD did not have the duty of superv. ng the churches. Every sort of supervision would have been in fundamental contradiction to the task to be fulfilled by the SD.

Q Can you tell us whether and how many reports against the churches were made by the SD to the Gestapo?

A The SD did not report any one basically. That was not its task, but he issued single or summarized reports regarding the situation in the spheres of life.

Q Did the Gestapo have an intelligence service of its own pertaining to churches?

A Yes, according to my knowledge, the Gestapo had an intell gence service which worked entirely independently. Also, the separation decree just shown to me shows this fact uncontestedly.

Q Did the Gestapo have their own intelligence service even before the 20th of May?

A So far as I know the Gestapo did have their own intelligence service used in connection with police duties. I cannot say on my own knowledge just how large it was. I only know that it was relatively small.

Q Ddi the Gestapo make use of the SD after the creation of Amt III?

A No, after the separation decree this was uncontestedly prohibited. Anyway, the intelligence service of Amt III was completely useless for any police task.

Q After the creation of Amt III and IV, were there regular work conferences and mutual information pertaining to measures and aims in regard to churches between the Gestapo and SD?

A Regular and organized work conferences in this sense did not take place. Individual discussions took place from case to case.

H1014-0063

The theme for these individual discussions was the complete separation of their aims, as well as its practical results.

Q What was the influence of the Chief of the SIPO and the SD as the top authority between Gestapo and SD in the dealing of the church matters?

A Of my own knowledge, I cannot testify to the influence of the Chief of the SIPO and SD so far as the Amt IV of the Department is concerned. Secondly, he had no influence on the religious question dealt with in Amt III. For the fulfillment of these aims, Amt III and the chief of Amt IV put up their own goals. The chief of SIPO and SD did not issue any decrees pertaining to both Amt III and Amt IV, their tasks and goals, so far as church questions were concerned. If there would have been such assignments given by the chief of the SIPO and the SD, I would have had to become aware of them as section chief in Amt III. Both Amts have worked together occasionally so far as personnel is concerned, and factually under entirely different lines under the chief of the SIPO and the SD.

Q Did the SD assist other authorities for the purpose of persecuting the church?

A No, it was not the duty of the SD to render aid according to others, and he did not have to furnish any reports regarding churches.

M. MONNERAY: Would it be possible to ask the witness not to make such long speeches in regard to his political views?

DR. GAWLIK: Yes.

BY DR. GAWLIK:

Q The Prosecution charges on Page 57 of the trial brief against the Gestapo and SD that the camouflaged aims and secret procedures of the Gestapo and SD in their struggle against churches is utilized by the Gestapo in the destruction of Aachen. I am showing you this record. It is document PS-1815. Does this document show that the SD has pursued the camouflaged aim to weaken the church and to create the basis of the final destruction of the churches after the end of the war?

H1014-0064

A May I ask the page of the document?

Q That is not given. Perhaps you can tell me that without using the document. You will stick to your statement that the SD did not have any camouflaged aims to persecute the churches?

A I can only give the answer after I have been permitted to look at the document.

DR. GAWLIK: May I postpone the question in order to preserve time and the witness may be permitted to look during the break?

CAPT. TUBRIDY: Very well.

WITNESS: I believe I have found it.

LT. CMDR. HARRIS: It is page 26, 27, and 28.

WITNESS: It is an extract, number 16, regarding the meeting in the Inspectorate at Dusseldorf on September 19, 1941. Obviously this is a memo for the Gestapo offices. The document does not show whether the local SD office was informed of this document. A memo is neither a decree or an order since the Inspectorate of the SS and SD had no factual authority to issue orders. The memo only states the decision of the Inspectorate to achieve a comradely compromise between the entirely separate offices. It was particularly necessary in the case of selderf because I recall that these two offices had very bad relationships so that in this particular case the chief of Amt III had to interfere from Berlin.

Q Did the SD Amt III regularly send reports to essential offices of the Party and the State pertaining to these religious problems?

A The reports pertaining to religious problems emanating from SD groups came about slowly and unsystematically. One expert for years, took care of the religious problems coming into Amt III. This individual then changed and for a month these problems were not even dealt with. The intelligence service reports at first were completely unsystematic.

Q Did the basic conception of the SD clash with the National Socialistic principles and ideas?

A It was the attitude of the SD not to take an opposing attitude toward the basic principles of National Socialism because

H1014-0065

article 24 of the Party never had been cancelled. Hitler had repeatedly stated that he did not have any desire to be a religious prophet. Rosenberg had stated publicly that religion was a privat affair and the strictly hostile attitude, as in the position taken by Bormann for instance, could not be considered the genuine will of the Party.

Q Did the SD reports characterize the churches in the occupied territories as enemies? That is, for the purpose of giving aid in the destruction and extermination of the churches?

A No, the SD treated these problems according to the same principles with which it treated churches inside Germany. Reports about churches in the occupied territories also was the task of the Gestapo, Amt IV. Amt III hereto only dealt with general religious matters.

Q I submit to you a document No. R-101. It deals with the exploitation of church property. Did the SD participate in such measures?

A No, Amt III did not deal with this matter.

Q The Russian Prosecution, Document 1538, dated 17 February 1936, refers to a report according to which German Fascists were alleged to have persecuted the National Czech Church. Has the SD initiated any measures against the Czech National Church?

A In my capacity as department chief in Amt III, I do not know of any such measures as charged by the prosecution, and furthermore, the basis of the separation decree prohibited the SD from taking part in certain measures.

M. MONNERAY: May I ask what this separation decree is that he is always talking about?

WITNESS: The decree which was submitted to me, which is dated 12 May 1941. The decree for which transfer of plans concerning churches, including those of an intelligence nature, was made to Amt IV.

BY DR. GAWLIK:

Q Page 5139 of the German translation quoted the report of the Polish Government which is alleged to contain the following words of Cardinal Glonda:

"The ministers were persecuted mostly. Those who were permitted to remain were those who suffered innumerable tortures, and they were impeded in the administration of their ministerial duties. They were subject entirely to the arbitrarial actions of the Gestapo."

Did the office of the SD, in any way, support or aid in those measures against the Polish Ministry?

A The quotation which was just read confirms that only the Gestapo is alleged to have participated in it. The SD is not mentioned.

CAPT. TUBRIDY: Tell the witness I don't want any explanation of what he thinks of the document which is now in question.

Dr. Gawlik, we have let you run on all morning and I don't know how much weight his testimony will carry. I think you should limit your own time in dealing with the witness. What does he know, for example, of what went on in Poland? Was he there?

WITNESS: I was chief of the sector office and if any measures were taken I would have been informed.

CAPT. TUBRIDY: He may have been informed but it does not necessarily mean he would have known about it.

H1014-0066

A In my capacity as department chief in Amt III, I do not know of any such measures as charged by the prosecution, and furthermore, the basis of the separation decree prohibited the SD from taking part in certain measures.

M. MONNERAY: May I ask what this separation decree is that he is always talking about?

WITNESS: The decree which was submitted to me, which is dated 12 May 1941. The decree for which transfer of plans concerning churches, including those of an intelligence nature, was made to Amt IV.

BY DR. GAWLIK:

Q Page 5139 of the German translation quoted the report of the Polish Government which is alleged to contain the following words of Cardinal Glonda:

"The Ministers were persecuted mostly. Those who were permitted to remain were those who suffered innumerable tortures, and they were impeded in the administration of their ministerial duties. They were subject entirely to the arbitrarial actions of the Gestapo."

Did the office of the SD, in any way, support or aid in those measures against the Polish Ministry?

A The quotation which was just read confirms that only the Gestapo is alleged to have participated in it. The SD is not mentioned.

CAPT. TUBRIDY: Tell the witness I don't want any explanation of what he thinks of the docume which is now in question.

Dr. Gawlik, we have let you run on all morning and I don't know how much weight his testimony will carry. I think you should limit your own time in dealing with the witness. What does he know, for example, of what went on in Poland? Was he there?

WITNESS: I was chief of the sector office and if any measures were taken I would have been informed.

CAPT. TUBRIDY: He may have been informed but it does not necessarily mean he would have known about it.

H1014-0067

DR. GAWLIK: I want to thank the Commissioner for pointing this out to me and I want to ask one more question regarding this chapter.

BY DR. GAWLIK:

Q Would you have had to be informed of any measures taken by the SD in Poland or measures in which the SD participated in Poland in your capacity as chief of the Amt III-C?

A Yes, I would have had to be informed of it as chief of Amt III-C.

Q Perhaps you could tell us why you would have to know about it?

A If the SD would have taken any measures, a report would have come to Berlin.

Q You would have had to deal with such a report?

A I would have had to deal with that matter, as the competent chief of the department.

Q Is the same thing true in the case of the Czech National Church?

A Of course.

Q I now come to point four, and I wish to see that the work of Department III-c4 did not consist of forming a conspiracy with the aim of crimes, etc. Will you describe briefly III-c3, III-c4.

A It was the task of these two departments to observe and report all developments, false directions, and cares of the population concerning art, culture, press, radio, and publications.

Q Were the reports of the departments pertaining to culture and art, press and radio, just as objectively critical as they were in the department dealing with religious life?

A To a great extent, it was even more critical of matters taken by Party and State officials. The critique on propaganda led to prohibition by Himmler as forbidden, entitled "Reports from the Reich", because Goering spoke about it. That meant that the last critical organ in the Reich was eliminated.

Q I now come to point five, and I want to elucidate the activities of point five.....

CAPTAIN TUBRIDY: Perhaps we could have a recess at this point.

(recess)

BY DR. GAWLIK:

Q I now turn to point five. I want to prove and elucidate the duties and activities of Section III-c5, and, in connection with that, that the SD did not participate in the confiscation by force, and distribution of, public property.
Exhibit Six of the Trial Brief against the Gestapo and SD, Page 51 of the translation. What were the duties and activities of Department III-c5?

A To deal with cultural problems from the occupied territories by way of the intelligence service.

Q Give us very brief examples.

A For instance, regarding the employment of German scientis in occupied Western territories, regarding the national peculiarities of the different folkdoms and the independent spheres of the cultural areas.

Q Did the SD participate in the confiscation of property of Jews or communistic officials in the occupied Eastern territori

A No, the SD did not have any right of confiscation.

Q Did the SD take any measures in this respect?

A No.

Q Did the SD participate in the confiscation of religious, scientific, or art objects?

A No, SD Amt III had no authority hitherto to confiscate.

Q If such decrees had been issued, which would have been th competent group of Amt III?

A Group III-c, within which I was a section chief.

Q I will now show you Prosecution Document PS 071. It speaks of the "gliederung" taking any confiscatory measures -- but this has to come from police or SD authorities.

A The characterization "SD" has so many publications, is used wrongly, and compasses too much. The document refers merely to confiscatory measures taken by the police for which the SD was not competent.

H1014-0070

Q On 18 December 1945 the Prosecution charged that the SD and the SS shared the responsibility for public and private looting Will you give us any explanation as far as the SD is charged.

MR. MONNERAY: I am sorry. He answered this question already. He said that the SD had nothing to do with confiscating art treasur

DR. GAWLIK: If the Prosecutor considers this question answered, I shall withdraw it.

BY DR. GAWLIK:

Q Perhaps you can explain why it is that you are able to answer this question for the entire SD.

A As far as it is a matter of cultural values, I, as section chief, would have been competent for that.

Q I further show you Document P S 137. It was introduced in the session of 18 December 1945, record page 1463 . It deals with the confiscation of art objects in Belgium, Luxembourg, and France. Did the SD participate in these matters? Answer this question "yes" or "no."

A No.

Q I further show you Document USSR 41. It is a report of the extraordinary commission for finding and doing research on the shameful deeds of Fascist German individuals and their aids. Did the SD participate in the measures enumerated in this document?

A No.

Q In the document USSR 93 is mentioned the Untersturmfuehrer Paulson. This is the Trial Brief of the Poles against the German war criminals, their bodies and organizations, as designated under the Charter of the International Military Tribunal. Was Understurmfuehrer Paulson a member of Amt III, SD?

A No.

Q I now turn to the last point -- point six. I want to prove the activities and goals of Section Six, Amt III, and, in connection with that, that the SD did not function in the form of the Gestapo. What were the activities of Section III-c6?

A For the internal use of Amt III, Section III-c6 dealt with publications. It had to submit new publications to the

H1014-0071

respective experts; it had to coordinate literature for professional work; and it had to produce summaries pertaining to intellectual problems, which were suitable for the continuous intellectual education of the co-workers of the SD.

Q If books were found which showed tendencies inimical to the Party, would they be submitted to the Gestapo?

A Because III-c6 had as its duty to submit such reports for the intellectual discussion of the co-workers of Amt Mino, corresponding to the general tasks to be fulfilled by Amt III, it did not have to function as a subsidiary intelligence service to the Gestapo.

Q Was Amt III-c6 acquainted with the books by Professor Ritter?

A Yes, I know that they certainly knew two books of Professor Ritter -- one book about Frederick the Great, and another book called "Power, State, and Utopia."

Q What tendencies did these books contain?

A An attitude hostile toward the Nazis was camouflaged in them.

Q Was the Gestapo notified of these things?

A No.

Q Was that a typical attitude of the SD?

A Entirely typical.

Q What other activities can you name which speak against this organization having participated in a war conspiracy?

A In the first place, the areas in which the SD worked.

Q Could you be more explicit?

A That is, working areas were put together according to professional experts and representatives from all levels of the population. Party or SS membership were not necessary. To the contrary, it was desirable that very many non-Party members participated in the work. There was no particular obligation to keep silent for these working areas. They offered an opportunity to criticize very openly, also, where Party measures were concerned

H1014-0072

In connection with cultural problems, the problem of the dissolutio of the Party was openly discussed among these workers. The worker were known, for instance in the universities, as SD workers.

Q I summarize my theme of proof. What was the result of the activity of Group III-c?

A Amt III-c had set as its task -- and also fulfilled it-- to achieve summarized reports of all important developments, cares, and criticisms of the population. It always felt that it was a genuine speaker for the population.

Q Did the SD, by its attitude, support the measures and goals set by Party or State authorities?

A No. The SD found itself in sharp and openly avowed opposition to many high authorities. No unified coalition goal became visible in cultural areas, because it was a complete mix-up emanating from many different power groups. By the way, the Party could not issue directives to the SD.

Q What can you say in conclusion about the work of the SD in cultural areas?

A The SD in cultural areas was the only critical record.

CAPTAIN TUBRIDY: It should be mentioned for the record that the witness is reading from notes.

A (Cont.) Beyond that, the SD has attempted to pick up all important cultural problems. At public discussions and lecture he avowed his attitude toward cultural questions freely, and cooperated in a free and rich configuration of the German cultural life.

H1014-0073

DR. GAWLIK: When did you start reading from your notes?

WITNESS: I did not read continuously. I just made a note with my pencil what I wanted to state. I did not prepare myself to answer this particular question at all.

MR. MONNERAY: I think that the witness has been reading most of his answers.

CAPTAIN TUBRIDY: Is that all the direct examination, Dr. Gawlik?

DR. GAWLIK: May I see the notes which the witness has made?

CAPTAIN TUBRIDY: Surely.

CROSS EXAMINATION

BY MR. MONNERAY:

Q. You were the chief of III-c3, were you not?

A. Yes.

Q. People's culture and art?

A. Yes.

Q. DR. GAWLIK: May I add the notes of the witness to the records:

CAPTAIN TUBRIDY: Dr. Gawlik, the witness has the notebook in his lap with notes on it, and it is to be assumed that he is using the notes in his testimony. If you don't want that inference drawn, he shouldn't have it in his lap. If he is using notes the record should indicate it. Proceed.

BY MR. MONNERAY:

Q. Your group didn't deal with religious life, did it?

A. I stated yesterday that I simultaneously was in charge of Group III-c2, education and religious life, and that III-c2 dealt with religious life beginning approximately the middle of 1942.

Q. In 1941 did you deal with III-c2?

A. I dealt with problems pertaining to education.

Q. But not with religious life?

A. At that time religious life was a part of education.

Q. Now the Plan of Organization of 1 March 1941 gives as the chief of Education and Religious Life, SS Hauptsturmfuehrer Seibert. Is this correct?

H1014-0074

A. Yes. That is right. But Seibert was in the army since, perhaps, 1940; I don't know exactly. I deputized for him, just as I deputized later for another chief of section.

Q. From whom did you get your orders?

A. From the group leader of III-c, or from Amt Three.

Q. From whom did the leader of III-c receive his orders?

A. He made his own independent decisions.

Q. So your answer is that he received no orders from anybody?

A. I cannot testify concerning that, as a subordinate section chief.

Q. So your answer is, you don't know who gave the orders to the chief Amt Three. Is that correct?

A. All I know is from my discussions -- that the task for the intelligence service was put independently.

Q. I ask you whether you know if the chief of Amt Three received orders from somebody else.

A. I don't know.

Q. Very well. Tell me, in the German administration, what means the word "participated" when speaking of one office with another office?

A. The word "participated" signifies that two entirely different and separate authorities are mutually interested im some fact of occurrence. In German useage the word is applied only if there are two entirely separate offices.

Q. What means the words, " This office and that office is concerned wi the same matter"?

A. It may mean that another office wishes to be informed, or must be informed.

Q. It could mean also the same as "participation", couldn't it?

A. I do not understand the question.

Q. I asked you whether the word "betreffen" could have the same meanin as "beteiligung", which means "participated." "Betreffen" means that the sa matter would interest separate organizations. Is that right?

A. Yes.

H1014-0075

Q. Had your office, Amt Three, any connection with offices of Amt Four?

A. May I ask what kind of connections -- factually, organizational, or personnel?

Q. Well, you could answer me for the three parts in this connection.

A. Organizationally, both amts were entirely separate. Factually, they were entirely independent; and the personnel in both amts was completely different.

Q. So, was there any participation, for instance, between Amt Three and Amt Four?

A. Participation in the sense of information could be possible.

Q. So Amt Three got information from Amt Four. Is that right?

A. No. But Amt Three received information from Amt Four regarding having taken measures after the police measures were executed.

Q. But no information before police measures had been taken?

A. No. I have previously testified that there was a connection for information channels between subordinate offices of Amt Three and Amt Four.

Q. Now, in those subordinate offices, according to you, there was connection before police measures and after police measures?

A. I don't know whether in general or in individual cases, since I did not work in a subordinate office.

Q. I asked you: Is it correct that, when you were talking about separate offices, the relations existed before or after police action?

A. I was asked to have the word "connection" explained -- whether it is a matter of factual information or whether it is a matter pertaining to individual cases.

Q. First, between Amt Three and Amt Four at the RSHA -- did Amt Three receive information from Amt Four after police measures?

A. I can make a responsible statement for my own section only. Referring to those two sections, no.

Q. Now, let us go to the subordinate offices. Do you know anything about them?

A. I can only testify on the basis of Document 1815.

H1014-0076

Q. We are not interested in this now. We will turn to it later.

A. I only worked in the RSHA.

Q. You were never outside of the RSHA?

A. I was an honorary worker in Bonn but I was subordinate to theRSHA.

Q. In what year?

A. 1935-1939.

Q. In this activity, did you only deal with culture, art, and religion?

A. Only with culture and science.

Q. Did you receive any information from the Gestapo?

A. No.

Q. Did you send any information to the Gestapo?

A. I was a vertrauensmanne of the SD, and not of the Gestapo. I never transferred any information to the Gestapo.

Q. You had to send your reports to the chief of the SD, did you not?

A. Not to the chief, but to some professional experts who sent in inquiries.

Q. Everybody knew in Bonn that you were a member of the SD?

A. Everybody knew it, but very few people in the University knew it.

Q. The V-man had not a secret mission. He could tell everybody that he was an informer for the SD. Is that right?

A. Yes.

Q. You had no obligation at all not to tell that you were a V-man. Is that correct?

A. That's right.

Q. That's very good. Your answer now is quite sufficient for your credibility. Is it correct that Group III-c2 had concern with the matters dealt with by III-c2 and also were concerned with Amt Four?

A. No.

Q. So probably the orgainzation plan of the RSHA of the 1 March 1941 is completelywrong, since under the space "participation" it is said: III c2 referata concerned Amts Three, Four, Five. Not only Amt Four, even Amt Five. That means the criminal police. But you still maintain that your activity of

H1014-0077

education and religious life had nothing at all to do with police work. Is that correct?

A. Yes; I state that explicitly.

Q. And it is quite a mistake to have put the RSHA into the SD and the chief of the SIPO?

A. Yes. We always felt that that was a complete mistake.

Q. I submit to you document USA 484. The plan for organization was the participation of Four andFive. Is it correct, Witness, that this plan shows, under the space "participation", Amt Four and Five? Answer "yes or "no".

A. Yes.

Q. What was the meaning of SIPO?

A. Sicherheitspolizei.

Q. SD?

A. The old term "sicherheitsdienst" -- security police.

Q. But you maintain that your service had nothing to do with security.

A. The term, "sicherheitsdienst", security service, can be understood only from the point of view of development of the SS. Unfortunately, the term, "security service", does not tesitfy to the inner independence of the Amt Three security service.

Q. You maintain your reports were always of a very impersonal nature. You were not interested in individuals?

A. Yes.

Q. Your report about university professors is quite an exception, isn't it?

A. No, unless it was of personnel information, which obviously mentioned names.

Q. So the SD received requests for information about individuals, did it not?

A. Not to make reports, but to give information.

Q. And in this case your offices were consulting the records available?

A. In many, there were no records available.

Q. That information you gave about individuals only dealt with scientific matters?

H1014-0078

A. No; I testified yesterday that they attempted to give a complete personality picture, which included scientific efficiency, character, way of life, and political ideas.

Q. So you gave reports on the political ideas of individuals, did you not?

A. Within the framework of the entire reports.

Q. And the Nazis stated it was very important to know what sort of political ideas people had, did they not?

A. Yes.

Q. Now, your activity had nothing to do with any political enemies of the State, had it?

A. No, basically not.

Q. What do your mean by "intelligence of enemies"?

H1014-0079

A "Intelligence of enemies" was the designation for the intelligence service of Amt Four. It was a police intelligence service.

Q You had no intelligence service dealing with enemies?

A No, we had intelligence service with living spheres.

Q And you didn't show in this living sphere intelligence the enemies of the State, did you?

A No.

Q You were in charge of giving a real picture to the authorities of the general public opinion, were you not?

A Yes.

Q And the fact that there were enemies within the State was of no interest to you, was it?

A Using the Freiburg University as an example, I testified yesterday that we also reported onhostile attitudes.

Q Now let us take USSR 185, USA 510. You have seen this document already, and it is the decree of separation, which would be called much better a decree of suppression. It says: "The SIPO and the SD study of church policies...". So it is correct that the SD was studying the church policies?

A Amt Three was never interested in church policies.

Q What amt was concerned with it?

A There was no interior amt except Amt Three.

Q But it seems to be very clearly expressed that the RSHA considered that the SD was dealing with church policies. Is this correct?

A May I point out that, not the RSHA, but Amt Four issued that decree.

Q Yes, but I asked you whether it is clear, according to the text, that the SD was dealing with church policies. According to the text?

A According to the text, yes.

Q We could infer from this document that the intelligence service dealing with enemies was to be taken over by the Gestapo fromthe SD? Is this correct?

A No. The gestapo now took over the intelligence service from the SD and had to reorganize it entirely into a police intelligence service for its police purposes.

Q Don't you agree with me that the words "intelligence of enemies", according to this context, is considered as coming from the SD?

A No; the formulation is not exact.

Q But if you were not an expert with the SD, you could infer from this text that the SD had the intelligence of enemies?

A I do not think I could testify since, as a former SD co-worker, I am prejudiced.

Q I thank you very much for this statement. Now, youhave told us t the whole intelligence service had to be re-organized, did you not? Neverth less, according to the same text, it is a question of facts--and not a question of interpretation. It is said that the church specialists of the SD had to be transferred from the SD to the Gestapo. Is this correct?

A I gave testimony extensively on that this morning.

Q Is it correct, that, according to this text, SD church specialists were transferred from the SD to the Gestapo?

A Yes, in individual cases.

Q This phrase corresponds to the truth, doesn't it? Is it correct, also, when the text says that, at the same time with the church specialists, files of the SD had been transferred to the Gestapo?

A Yes.

Q You told us that these files did not concern at all the enemies of the State.

A No, because these records from the SD did not refer to individual cases, but to the general church question.

Q I would like to know your interpretation of this phrase: "The chief of the RSHA has furthermore ordered that nachrichtendienst material concerning church political opposition, hitherto the property of the SD abschnitten should be handed over to the Gestapo stellen." So there were fights concerning the enemies in the church, isn't that correct?

A It goes without saying that theextensive records of the SD pertaining to church problems contained reports of certain church circles regar ing their hostile attitude towards National Socialism. But these reports di not refer to police cases and could not have been made use of by Amt Four.

H1014-0080

Q Did you receive requests for information about the general appreciation of an individual only as far as the universities were concerned?

A Yes.

Q For instance?

A From Reichs Education Minister regarding teachers.

Q Who else?

A From Reichs Propaganda Ministry regarding individual artists.

Q That's sufficient. You were not mobilized during thewar?

A Yes; I was a soldier until 1940.

Q Where were you?

A In the first campaign before the Polish campaign, and military maneuvers.

Q Which military formation?

A Artillery.

Q You had no connection with the secret field police?

A No.

Q You had no connection with SD or police?

A No, the artillery had no connection with them.

Q And in the West, the same position?

A Yes.

Q Did you know Dr. Knochen?

A Yes.

Q He was a member of the SD, was he not?

A Yes.

Q Did you have any connection with him in your office work?

A In person, once; but I did receive reports from his office in Paris because there were one of several SD co-workers in his office.

Q Had you any connection with Amt Six?

A No.

Q But Amt Six was also composed of members of the SD, was it not?

A It was entirely different. I cannot say from my own knowledge.

Q Didn't Amt Six deal with occupied territories?

A Amt Six was the foreign intelligence service. I do not know the details of its organizational structure.

H1014-0081

Q Wasn't is a general rule that the V-men were used by the SD?

A During the time I was in office, yes. I know only partly the entire development of the SD, because I was not always a full-time paid employee of the SD.

Q But between 1940 and 1944 the V-men were not confidential agents, were they?

A No.

Q When you had your impartial discussions in universities, after each discussion were any reports sent to the higher authorities about those discussions?

A Yes, in different forms.

Q And you quoted also the opinions of people who participated, didn't you?

A Yes.

Q By opinion, but not by name?

A Yes.

Q But you marked the names in your files, did you not?

A No. To a great part, no. The working figures were to a great extent unknown by name to the hauptamt.

Q Now I would like to read 1852B-PS, by Dr. Best. "Finally it has t investigate politically and explore fundamentally the activities and connecti of the great ideological arch-enemy of National Socialism and the German people in order thereby to render possible a purposeful and effective fight against it." Is this correct?

A No; that was a private and personal wish-dream of Dr. Best.

Q But this sort of definition fits quite well, when it coordinates the inspectors of the SIPO and the SD and Himmler himself?

A Every expert will find that this description contradicts the facts.

(The Commission adjourned until 1400 hours).

H1014-0082

The Hearing reconvened at 1400 hours 5 July 1946.

HANS ROESSNER - Resumed
CROSS-EXAMINATION - Continued.

COMMISSIONERS:

Col Neave
Martin-Harvard Armand

*****

BY COLONEL NEAVE:

Before the hearing continues I want to read an order. Please take this down into the record (to the reporter). It is an order on affidavits dated 5 July. It will be published in the Defense Information Center.

The Tribunal orders that:-

(1) All affidavits or onterrogatories from witnesses for accused organizations will be examined by the Commissioners before their submission to the Tribunal;

(2) Counsel for the defense will read a summary of the affidavir or group of affidavits or interrogatories to the Commissioners in the pr sence of the prosecution.

(b) The Prosecution shall be entitled to comment on, or object to the evidence.

(c) If the Commissioners decide that the affidavit or interrogatories are relevant in accordance with paragraph 6 of the Tribunal's order of 13 March they shall register the original document with the General Secretary's office.

(d) The Commissioners shall submit the transcript of the proceedings befor the Commission, including the summary of the affidavit or interrogatory, to th Tribunal. In exceptional cases they shall make provision for translation and ciculation of the complete document.

(e) Both the Commissiones will remain in session for this purpose until further notice.

There is an announcement regarding the summarization of collective affida which I don't propose to read now but which will be published in the Defense Information Center.

On Maonday next at 10.00 o'clock in Room 398 the examination of affidavits will begin and as already announced members of the Prosecution and defense are requested to be present, at 10.00 o'clock, for a short discussion on procedure.

(And Commissioner Neave exits.)

H1014-0083

MR MONNERAY: I am finished. Lt. Cmdr Harris wishes to put some questions to the witness.

H1014-0084

BY LT CMDR HARRIS:

Q In 1940 What did Section 2B3, RSHA handle?

A I cannot say anything regar 2B3.

Q Who was Dr. Seitz?

A Dr. Seitz finally was chief of Amt 7.

Q What was he before he became chief of Amt y?

A I do not recall. He was chief of one of the Central Sections. I do not know anything about the details.

Q You know he was for a number of years a member of the SD?

A Yes, sir.

Q Now, the Office of Amt 7 had to do with ? research, didn't it?

A It had to do with scientific research pertaining to library and records.

Q Now, I want to ask your counsel to show you document R-101 again. (And the document is handed to counsel. who, in turn, hands it to the witness; and who, in turn, examines it.)

You testified at some length about this document this morning.

A Yes sir.

Q You will not that this docume emanates from Department 2B3?

A That does not show exactly on the document because there are two figures given here.

Q What are the two figures given there?

A 2B3 and 211-31.

Q Yes, and you know that the office designation is the 2B3, isn't it.

A It is not customary to put two designations of offices side by side.

Q Quite so. And the document is signed Seitz, (?) is it not?

A Yes.

Q So that when you testified this morning you knew SD had nothing to do with this matter; you knew that the person who signed the letter was a member of the SD, don't you? Answer it yes, or no, please?

A That he was a member of the RSHA. What his position as chief of the section was at that time I don't know. I returned to the RSHA early in August 1940.

Q But the point is you already ified as though you had a personal know-

ledge of this document. And you don't even know what the activities were of the department that sent out the document, do you?

A All I stated this morning was that SD Inland AMT III had nothing to do with it. Because at that time Ohlendorf was chief od AMT III. And the cipher shown under the latter-head should have read III and something else.

Q The question was whether the SD had something to do with it. That is the question I put to you. And you don't deny that the SD had something to do with this, but your contention is that AMT III of the SD had respnsibilty?

A My entire testimony which was heard here was with respect to AMT III.

Q Well, I take it you answer this last question as yes; and we can pass on to another question.

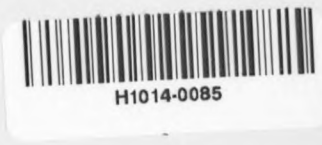
A May I ask what the question was - may I ask that it be repeated please?

(The question; "The question was whether the SD had something to do with it. That is the question I put to you. And you don't deny that the SD had something to do with this, but your contention is that AMT III of the SD had responsibility." It was repeated to the witness.)

A This document does not show in any way that he had something to do with.

Q Except the signing of it. . .

A I do not know what was the official capacity of . . . at the time of the signing of this document.



Q Then your answer is you don't know?

A I don't know.

Q You said that AMT VII handled the archive and ideological research. Where did AMT VII obtain the material that it put into the Archives.

A I do not know since there was no sort of working cooperation with AMT VII. I myself never worked with AMT VII.

Q You know that AMT VII received some of this material from captured and confiscated sources in occupied territories?

A I know that from hearsay; but by own knowledge I cannot testify to that

Q I will show you Document L-143. This is another document which appears to have two department designations in the heading. Can you tell me whether tha heading indicates that in the preparation of this document both department 4 and department 3 of the RSHA had something to do with it?

A That is not a document of the RSHA. That is a document emnating from the

Reich Commissioner for the information of German Folkdom.

Q Well, now, the document is on the stationary of the Reichsfuehrer of the German Police, isn't it? It is sent for action to certain Gestapo agents and to certain commanders of the security police and security service, isnt it?

A I don't know what action was to be taken because I don't know the contents of the document.

Q Well, now. let's look at the second paragraph. It says, 21, This relate to confiscation. It says historical and p. . . . articles, documents, books, which are of interest for cultural value of all public life especially for the question of the German share in the historical, cultural

H1014-0086

H1014-0087

and economic development of the country, and documents which are relevant for the history of present events.

Now, those certainly would be documents which both Amt III and especially Amt VII would be vitally interested in ?

A. Amt III as Intelligence, not al all ; but Amt VII I would not know.

Q. Do you know what the policy of the Nazi Party was toward the Churches ?

A. I don't know that there was a unified action of the Nazi Party toward the Church.

Q. But you were, as a member -as chief of Amt III C interested officially in the existence of institutions which opposed the moral senses of the German race, were you not ?

A. May I ask what he means -- I don't know what the means by moral senses of the German people.

Q. Perhaps you can understand it a little better by reference to the National Socialist Year Book of 1941 which contains the statement of the official attitude of the Party toward the Church. (And here he quotes a sentence therefrom, in German (Translation) ... "We demand freedom of religion for all religions denominations within the State so long as they do not endanger its existence or oppose the moral senses of the germanic race."

I am only quoting their language. Did you know that that was the official attitude of the Nazi Party towards the Church ?

A. I hear that formulation here for the first time.

Q. You knew that much opposition to the Nazis came from religious groups, didn't you ?

A. Religious police ?

A. Yes

Q. I do not know that they were basically opposed to the Nazi Party, but that they represented different concepts in regard to Church and religious matters. That does not mean a general rejection of the Party of National Socialism because by far the larger part of the Party members were also Churc members.

A. Well, the National Socialist idea was of course to subordinate the Chur to the State and render it politically ineffective, was it not. The Church basically never had nay political tasks, but had one of care for souls.

Q. Did the Church as an institution, or the clergy, raise their voices against national socialism either on moral or political grounds, and the repressive agencies within the Nazi State took appropriate action ?

A. I cannot say either yes or no in this general form.

Q. Well, you answer it, and then explain it. Is that basically true or false ?

A. I want to use this sentence to answer my question : On the basis of this paragraph contained in the German legal code for decades, political accused of the pulpit against the State, it was ordered that measures would be taken even during the Weimar Republic. It is fiction, in my personal opinion, to say there was a general prosecution of the Church after 1933.

Q. Well, you know that Bormann actively used his full influence to persecute the Church, especially in the latter year ?

A. Yes, sir. Bormann's personal attitude was rejected assiduously by a large part of the Party and he was attacked on that basis too.

Q. But he succeeded to make his indignation toward the Church effective through large sections of the Party ?

A. No, he was obviously not successful because in 1942 90 % of the Church people were still Nazi members. Since statistics show 80 % of the SS leaders being members of the Church.

Q. I am not questioning whether Bormann or the Nazis were successful in bringing the people to the point of giving up membership in the Church.

A. I beg your pardon -I didn't understand your question.

Q. I am asking about the obvious restrictions that were placed upon the people in the exercise of their religious freedom, such as opportunity to meet together at outings, and picnics, all of which were opposed, in many instance requested by Nazi Party Leadership, pursuant to Bormann's directives -- and you are one, because you are the one receiving reports on this.

A. As far as there were questions immediately concerning the Church we were not the ones receiving reports, but as I said this morning it was Amt IV.

Q. I want to show you Document R-142, USA 487. (Shows the witness the document.) This document has been discussed at some length in these proceedings. It is a document which shows that at least the security service at Coblenz

H1014-0088

invaded the secrecy of the ballott in the plebescite in 1938. I don't want to read it into the record again, but I call your attention to the sentence on the part of 22April 1938, to the SD, at Coblenz.

(Quoting):" The high percentage of *** has as its reasons in nearly all cases in the religious attitude of the population irrespective of whether they are Catholics or Protestants."

That shows that the SD was interested in this matter of religious attitude in political spheres.

A. My testimony, May I say again, referred to Amt III only.

Q. In other words you are not testifying up to the period September 1939 ?

A. My knowledge there is only a general knowledge of the records which I saw.

Q. And your general knowledge is, I am sure, as this report doubtless, was forwarded to the main office of the security service, that the religious attitude of the German people resulted in some opposition to the Nazi State, which it sought to suppress ?

A. I wish to state that in regard to this document, that this is quite a remarkable acyivity of this branch office. Secondly, that it does now show that the RSHA received this report or anything regarding it, and in the third place I have testified already this morning extensively that the security service Amt III observed and reported on criticisms of the Church going population on measures about the Party and the Party itself, but not with a tendency, and that is the main point, to regard the Church going population as politically opposed, but with the aim to take the religious needs of the population seriously, also from the point of the Party. This corresponded to the question presented essentially by Amt III. This was also the personal concept of the chief of Amt Ohlendorf.

Q. And you submitted these reports on the reaction of the population to the anti-religious measures of the Nazi State to the interested State offices

A. Yes, sir.

Q. Now, I just have one other question, and this also is taken from the National Socialist Order Book of 1941. By 1941 I guess you had a fairly good idea of the purposes and activities of the SD, didn't you ?

H1014-0089

A. Yes. Only that the tasks and duties from year to year revolved on the work itself. We were clear on our votes and aims in 1944 than we were in 1941 because only then we had extensive material to work from.

Q. I am talking actually about the period, the first war year 1939/40, and I want to read to you what the official statement of the purposes of the SD were for that period as they appear in the National Socialist Book of 19

The Security Service SD of the SS is a thorough political intelligence service created in accordance with the principles of racial and ideological selection as required by the SS. It became the real security service for the SS, the Party and the Reich. It has proved its significance during the war year 1939/40. "

Now, I take it that you don't dispute that report, do you ?

H1014-0090

H1014-0091

A I basically want to argue that. In the first place I don't know whether this Book is an official publication. I do not know who formulated this grand propagandistic phrase, and in the third place this phrase does not conform to the facts.

Q Let us read on to the next paragraph and see whether you agree with this:

The Security Service is organized in corps areas and division areas in close similarity to the general SS. Its chief is SS Gruppenfuehrer Heydrich who was at the same time chief of the Security Police. Part of the duties of the Security Service is to watch for any changes in the manner of working and attacks of the enemy, and to protect the people against any kind of seditious leaders and manner of the security service work in cooperation with the chairman of the security police, whose members had a duty also to investigate and fight against any national hostile intention in the provinces of the protectorates and the newly won eastern territories, to valuate and to gather the results of the uprisings ...

A According to my knowledge the only thing correct in this paragraph is that Heydrich was simultaneously chief of the security police and of the S Everything else is either wrong or at that time already antiquated. The author of the article probably did not even take the pains to find from the outside regarding the tasks and aims of the SD. At that time according to m knowledge there were no longer any Oberabschnitte.

Q In the year 1939?

A According to my knowledge 1938 and 1939 the last Oberabschnitte wer dissolved. I don't know the exact date.

Q I think it was 27 September.

All right, I am through with my questions.

****

BY COLONEL ORLOV:

There was in AMT III a group also which dealt with cultural problems in occupied territories?

A Yes, I stated that this morning, that it was Section 3C5 which dealt with general cultural problems in the occupied territories.

H1014-0092

Q So this group hasreceived such material, investigated, treated, and made reports on the basis of this material?

A The material which this group had was very incomplete and showed bi gaps because the SD in occupied territories suffered from shortage of personn and accordingly the reports made by the SD were also correspondingly incomple

Q You have told us that your group had worked entirely independently and without any pressure. That you always made exact and correct objective reports.

A That at leastwas our aim.

Q Do you consider yourself an educated person?

A I am very careful when I refer to the word "educated". And I beli that my own intellectual education is not as yet finished.

Q Are you something like a university professor?

A I am a scientific assistant, and I wanted to become a professor.

Q Have you ever heard or read anything about Russian culture?

A Only very little. Unfortunately, I know too little of the culture of the East.

Q Did you hear the names of Tolstoy, Dostoyevsky and Pushkin?

A Yes.

Q Did you ever hear or know or read that the Russian culture is at least on the same level with any Eastern culture?

A As a scientist I am not in a position to judge that since I lack the necessary knowledge of Russian culture.

Q Have you ever received any report from your groups or sections in th East that German barbarians have destroyed many Russian monuments, for instanc the House of Tolstoy, the ....

A I have not known.

Q So what you have received from Russian reports was a description whi was not objective?

A It is not a question of whether it was objective or non-objective, b whether complete or incomplete. I have declared before that reports derived from occupied territories were exceedingly incomplete.

Q I shall change my question slightly.

H1014-0093

Have you received one single report which described that German barbarians destroyed Russian cultural monuments?

A No, not a one.

Q Did you know anything -- that the German general -- a very well know general, for instance, General Reichenau ..... I am submitting an order dated 10 October 1941. The number is USSR 12. The document refers to the behavi of the troops in Estonia.

THE COMMISSIONER: Has this document already been submitted, or is i now for the first time?

COLONEL ORLOV: That has been submitted several times.

Page 2 says this document, signed by General Fieldmarshal R$_o$ichena I shall only read a very small sentence: Neither historical nor artistic considerations play a part here in the Eastern area.

Have you ever heard of that?

A I have not heard anything about it, ever, no.

Q Have you ever heard anything regarding the Einsatzstab Rosenberg?

A Yes, sir, I have heard of it.

Q Have you cooperated with Einsatzstab Rosenberg?

A No.

Q Did you receive any reports concerning the activities of the Einsatzstab Rosenberg?

A If my memory serves me right we did not receive any reports.

Q From Russia?

A No, none.

Q What is the difference, actually and in fact, between Group 3C of t Ministry for Propaganda and Peoples Enlightenment?

A Group 3C of AMT III was a subsection of the I$_n$terior Intelligence Service, and their tasks wer purely those of intelligence service and culture matters. The Reich Propaganda Ministry was a State superior authority with leadership and administrative tasks in the spheres of propaganda and enlightenment.

Q In fact Group 3C and the other authority have performed the same wor

A No, the Group 3C was not a Ministry, and the Enlightenment was not a

H1014-0094

intelligence apparatus.

Q Why do you object so strenuously to the connection, any connection between Amt III and Amt IV. Perhaps you are ashamed of the criminal work of the Gestapo?

A As a witness before this Court I have to testify to facts and whatever I have testified to regarding the SD corresponds to facts according to my knowledge. I would have lied had I made any other statements.

Q Is it correct that both AMTS had one chief?

A No. Each AMT had separate chiefs.

Q And Himmler was Reichsfuehrer SS and SD?

A Himmler was Reichsfuehrer SS and chief of the German police.

Q And there were no connections between you and Himmler?

A The AMT III in its functions as Inland SD was by the channel of the chief of the SIPO and the SD, in connection with Himmler. I am not a lawyer so I cannot describe this organization exactly. The function of the Inland SD was derived, without any influence, from its own independent aims and tasks

Q Did you or did you not take a trip on duty to Russia during the war?

A No, I have never been in Russia.

Q Your Group 3C was the apparatus whose duty it was to lead the struggle against the enemies of national socialism?

A During my entire testimony I brought forth individual examples proving that that was not a part of its duty.

Q Do you confirm ... that you did not lead a struggle against the enemies of national socialism?

A Yes, I again confirm this since we were an intelligence service without executive powers.

THE COMMISSIONER: Have you many questions to ask? (To Defense Counsel).

DR. GAWLIK: No. I have no questions pertaining to the facts. I only have some questions pertaining to the records which were taken this morning.

LT. CMDR. HARRIS: Are these going to be re-direct or is he starting on a new examination? We have already gone well over our time with this

H1014-0095

witness .....

THE COMMISSIONER: I believe this is a question which is beside the hearing of this witness. This is a material question regarding the transcripts. Do you agree to it?

LT. CMDR. HARRIS: All right. I misunderstood.

BY DR. GAWLIK:

Q Did you read, during the interrogations, did you read your answers?

A No, I had not written down the answers.

Q The book which you had in front of you, does that contain the answers or are they only cues?

A It only containes cues, as can be seen, in order that this testimon during which more than 100 questionswere asked, so I should not forget points of use which seemed important to me. The Commissioner did not instruct me that this was not permissible.

Q Will you tell us in answer to what questions you needed this pad?

A They are only a very few, in order to answer them correctly I would have to take it up point by point. Almost one-half of the notes were made during the session and not before.

Q I submit that the remark in the record should be changed as follows "The witness in answering these questions uses a pad which contains cues' For proof I am offering the note pad to the Commissioner.

THE COMMISSIONER: Mr. Monneray, what have you to say?

MR. MONNERAY: I should like to ask one question regarding this point, and my colleague Cmdr. Harris would also like to ask a few questions.

Q Witness, did you know Document 1815 before your testimony of today?

A I did not know the document. I only knew the number which was mentioned in other testimony and was discussed at the witnesses' house.

BY LT. CMDR. HARRIS:

Q Do you remember being shown the document before you testified here this morning, which contained this basic decree separating religious responsibilities between the SD and the Gestapo?

A Of course I was acquainted with the separation decree in my work.

Q I asked you whether you saw the document.

H1014-0096

A I saw the document in Berlin in the Archive.

Q Did your attorney show you a photostatic copy of this document here in Nurnberg before you testified?

A Yes, sir.

Q And you made up your notes in response to a list of questions which your attorney gave you, didn't you?

A No, I made notes as the most important points which I wanted to bring up in my answers.

BY MR. MONNERAY:

Q And you told me just a few moments ago that you did not know document 1815 until you came here, didn't you?

A As I saw the document this morning the document comprised 35 pages, and the first page ..... (interruption).

Q Very well, this answers quite sufficiently.

LT. CMDR. HARRIS: I have no objection to the comments of the defens counsel.

All counsel agree: we have no objection against the change asked for by the counsel for defense witness.

THE COMMISSIONER: Before closing I would like to ask the counsel to keep, or give me, the little notebook you brought with you, as I should like to discuss it with my colleagues of the Commission. I will return it to you tomorrow.

The foregoing is a true and correct transcript of the testimony of ROESSNER taken on 5 July 1946.

P. A. AHUNA
Reporter

GENEVIEVE BIOLSI
Reporter

D. J. NOLL
Reporter

CERTIFIED TO:

A. H. S. NEAVE
Commissioner